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**Chapter 15-06 Development, Site and Subdivision Standards**

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**Chapter 15-06 Development, Site and Subdivision Standards****15-06-01 Purpose and Scope**

This Chapter shall establish performance and development standards to encourage and facilitate orderly growth and well planned development within Sandy City. These standards are intended to ensure good building and overall site design, good architectural design and visual appearance, street layout, parking design, proper fencing, as well as compliance with the district regulations and other provisions of this Code relating to public health, safety, and general welfare of the overall community. The standards set forth within this Chapter shall be interpreted to be the minimum standards within the zone district unless otherwise stated.

This Chapter is broken into several subsections. Those sections are:

- A. General Non-Residential Development Standards
- B. General Residential Development Standards
- C. Street Naming Standards
- D. Off-Street Parking Standards
- E. Fencing Standards
- F. Condominium Conversion Standards

Development shall occur according to the following standards and requirements, or the development standards and requirements listed in the individual zones. The more restrictive development standards shall govern in all cases.

**15-06-02 General Non-Residential Development Standards**

- A. **Site Plan Review.** Site plan review with the City staff is required of all new and expanded development projects in accordance with Chapter 15-11, Development Review Process. In addition, approval of a Site Plan Review may be required by the Planning Commission as specified within each Zoning District or as determined necessary by the Community Development Department Director.
- B. **General Building Locations & Setbacks.** In addition to the specific building setback requirements listed in each individual zone, the following general standards shall apply:
  - 1. No building shall be closer than 5 feet from any private road, driveway or parking spaces in order to allow areas adjacent to the building for foundation landscaping and landscaping to protect the building or sidewalk. Exceptions may be made for any portion of the building that contains a drive-up window.
  - 2. The public right-of-way boundary shall be considered the front property line of a lot. Where a lot is bordered on two or more sides by a public right-of-way boundary, all such sides shall be considered as front property lines.
  - 3. The area between the front property line and the building lines shall be known as the front yard in all cases.

4. **'Storefront Conservation' Development.** In an effort to conserve land, to encourage water conservation and to create development based upon C.P.T.E.D. (Crime Prevention Through Environmental Design) principles (natural surveillance, natural access control, territorial reinforcement, management and maintenance), the Planning Commission may allow storefront type development in appropriate commercial areas of the City. The Commission (irrespective of requirements in the underlying zone) may reduce building setback requirements with the use of approved Urban Conservation and Suburban Conservation setbacks and sidewalk zones, based upon the following criteria:
  - a. Setback areas must comply with 12 foot, 16 foot, 20 foot, or 24 foot approved cross-sections as designed and updated by the City from time to time. Setback areas are broken down into sidewalk zones specifically identified as the: 'Display Zone,' 'Clear Zone,' and 'Furniture Zone.' Approved sidewalk zones must consider the following standard design features as may be approved by the Planning Commission:
    - (1) **Display Zone** (located immediately adjacent to the building)
      - C Display of goods, special sales, promotions, decorations for festivals, holidays, etc.
      - C Outdoor seating areas and outdoor eating areas, as appropriate
      - C Approved newspaper racks, community bulletin boards, etc.
      - C Limited greenscape, i.e. potted plants, foundation plantings, water conservation plantings, etc.
      - C Limited canopy overhangs for building entrances and eating areas.
      - C Proper access to store entrance from sidewalk grade.
    - (2) **Clear Zone**
      - C Walking zone for pedestrians
      - C No obstacles
    - (3) **Furniture Zone** (adjacent to curb line)
      - C Street trees w/ tree wells or ground covers
      - C Small scale downlit street lights w/ banner attachments
      - C Street Furniture, i.e. benches, trash receptacles, water fountains
      - C Additional outdoor seating/eating areas, as appropriate
      - C Other limited greenscape, i.e. potted plants, and water conservation plantings, etc.
  - b. In addition to the above requirements, **building and architectural design** shall be street-oriented ('eyes on the street') and shall consider the following design elements, as may be approved by the Planning Commission:
    - (1) Parking located to the rear of buildings, or to the side when deemed temporary or otherwise appropriate.
    - (2) Compliance with an overall area architectural theme, with projecting wall signs where appropriate.
    - (3) First level architectural articulation separate from above stories.
    - (4) Where possible, conformance to a structural module of 30 feet horizontal to 15 feet vertical.
    - (5) Ample window placement (at least 50% of building elevation) to encourage 'eyes on the street.'
    - (6) Building entrances directly onto the sidewalk.
    - (7) Liberal use of balconies, stoops, insets, etc. to create additional interest and 'tie' to the street.

- (8) Walkways (paseos), courtyards, and small plazas should be considered where appropriate.
- (9) Other building design features which promote economic development and safe pedestrian activity, as approved by the Planning Commission.

### C. Public Improvements.

1. The Developer of the project shall be responsible for the dedication and improvement of all off-site public improvements that do not presently exist according to a half width of the ultimate right-of-way as called out in the Traffic Element of the Sandy City General Plan, on or along the property being developed. If a property has multiple street frontages, improvements are required along all streets.

Such improvements shall include but are not limited to curb, gutter, sidewalk, street lights (Title 13, Chapter 7, Revised Ordinances of Sandy City [R.O.S.C.]), drive approaches, waterways, road base, asphalt, striping, streetscape, storm drainage, fire hydrants,, copper laterals, piping of irrigation ditches and flood control systems, fencing of canals, extension of water lines, appurtenances and sewer lines, removing of utility lines out of the right-of-way (with the exception of traditionally buried lines such as sewer, water and natural gas transmission lines), etc..

2. The developer may also be responsible for other off-site work such as participation in the cost of such items as traffic lights, traffic medians, that are related to the impacts created by a particular project.
3. All such improvements shall be designed and installed by the developer according to the City's specifications and details for municipal construction.

### D. Driveway Access.

#### 1. General Standards.

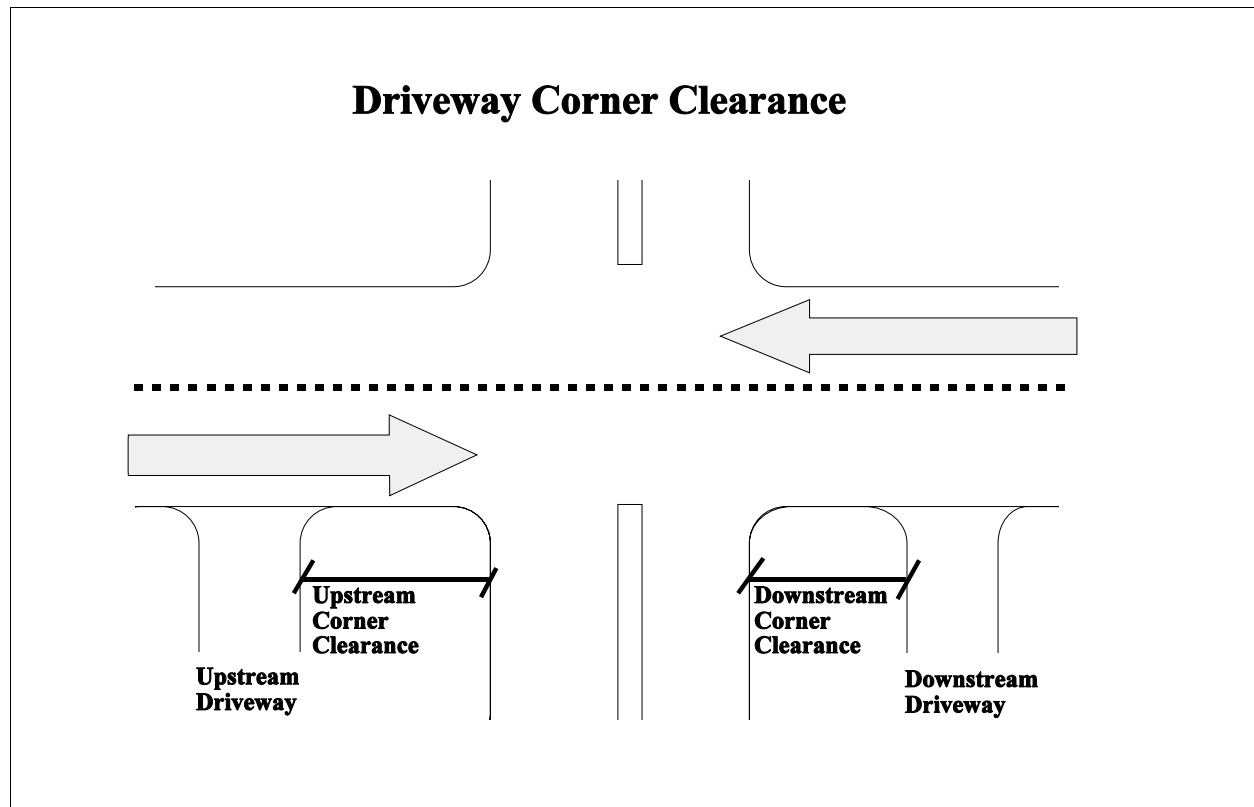
- a. Unobstructed and direct driveways shall be provided from commercial off-street parking or loading facilities to a street or alley. Loading driveways may coincide with driveways to parking facilities.
- b. In establishing permissible curb openings and sidewalk driveway crossings for access to private property, such curb openings or driveways shall not be authorized where they are unnecessary or where they would interfere with the movement of vehicular traffic, with public improvements, or with the rights of the public in the adjacent street or alley. In no case shall any curb opening be of greater width than necessary for reasonable access to the property to be served.
- c. In determining the width of curb openings and spacing of driveways, the end transitions in each case will not be considered a part of the length of the curb opening. The curb opening or width of each driveway shall be defined as the throat width of the driveway at the inside point of the curb transition radius at the top face of the curb.
- d. Only *one driveway opening per street frontage/per parcel* shall be allowed unless a capacity or safety need for more than one driveway opening can be demonstrated to the Sandy City Transportation Engineer.

- e. Where commercial uses share a property line, off-street parking lots serving the properties shall be made accessible to each other unless grade differences or building locations make reciprocal access between developments impractical.

2. Driveway Separations.

- a. **Frontage on Arterial (106'+) or Major Collector Streets (80').** Uses on parcels with less than 150 feet of frontage shall be required to share a common driveway in order to assure that a minimum of 170 feet of continuous curb and gutter exists from the throat of one driveway to the throat of the next adjacent driveway. Driveways offset less than one hundred seventy [170] feet from existing or approved driveways on the opposite side of the street shall not be allowed unless the Sandy City Transportation Engineer determines that an unacceptable capacity or safety impact will not result.
- b. **Frontage on Minor Collector (60' or 66') or Local Streets (50').** Uses with less than 70 feet of frontage shall be required to share a common driveway in order to assure that a minimum of 90 feet of continuous curb and gutter exists from the throat of one driveway to throat of the next adjacent driveway. Driveways offset less than one hundred seventy [170] feet from existing or approved driveways on the opposite side of the street shall not be allowed unless the Sandy City Transportation Engineer determines that an unacceptable capacity or safety impact will not result.
- c. **Driveways Adjacent to Intersections.** The minimum distance from the intersection to the nearest driveway shall be according to the following intersection illustration and distance table (distances are measured from the back of curb to the throat of the nearest edge of the driveway).
- d. **Deviations to Driveway Separation.** The Planning Commission shall review and may approve or deny deviations to the above standards upon the recommendation of the Sandy City Transportation Engineer.

	Median Barrier Present	Arterial	Major Collector	Minor Collector
Driveway Clearance	NO	200'	175'	50'
Driveway Clearance	YES	185'	115'	50'



### 3. Driveways - Widths and Curb Designs.

#### a. **One Way.**

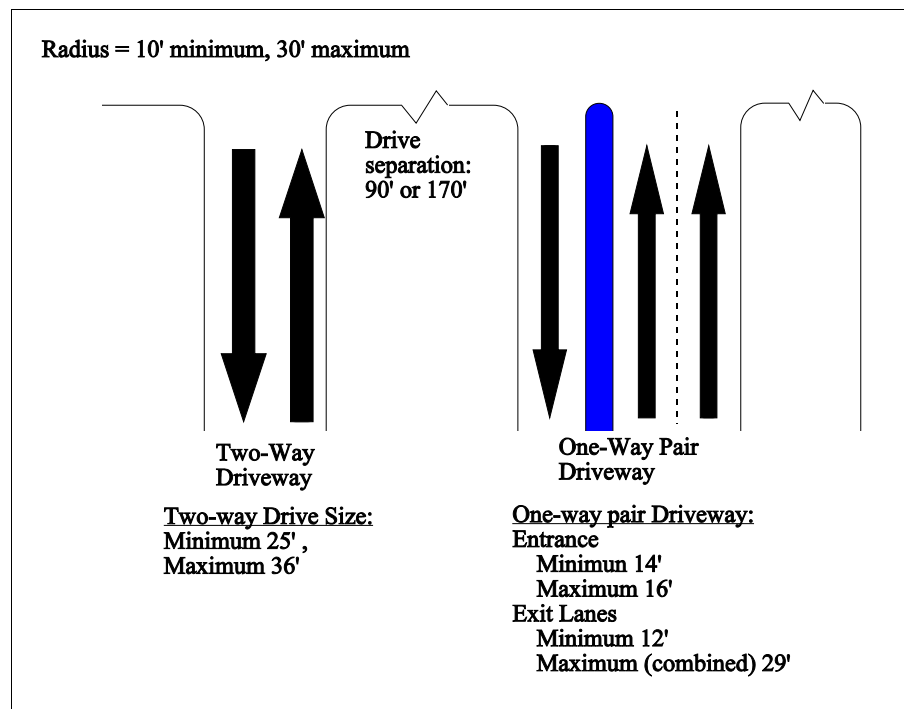
- (1) One-way driveways shall be not less than 12 feet nor more than 24 feet in width. A wider one way driveway may be required by the Sandy City Fire Marshall.
- (2) Exception: No two complementary one-way driveways may total more than 45 feet in width.

#### b. **Two Way.**

- (1) Two-way driveway approaches shall be not less than 25 feet nor more than 36 feet in width. In determining the width of curb openings and spacing of driveways, the end transitions in each case will not be considered a part of the width of the curb opening.
- (2) Wherever a common driveway is constructed serving two or more properties, the common curb opening shall have a maximum width of 36 feet.
- (3) The Planning Commission shall review and may approve or deny deviations to the above driveway width standards upon the recommendation of the Sandy City Transportation Engineer.



- c. **Fire Access.** If any portion of a building is more than 150 feet from a public right-of-way, the Sandy City Fire Marshall requires a minimum of a 20 foot wide driveway on all sides of the building for access.
- d. **Drive Approaches.** All driveway approaches shall be equipped with curb radii and provide for handicap access.
- e. **Minimum Curb Radius.** All drive approaches shall have a minimum end transition (curb radius) of 10 feet and a maximum of 30 feet.
- f. **Driveways.** Driveways shall be located a minimum of 5 feet from the property line, measured from the throat of the driveway. This does not apply to property lines where a shared driveway is proposed.
- g. **One-Way Pair Driveways.** Where a driveway is of the split, one-way pair directional type, there shall be a raised landscaped island of at least 5 feet in width between the two driveways.
- h. **Maximum Curb Opening Coverage.** The total width of all curb openings shall not exceed forty (40) percent of the projects frontage. For corner lots, the total width of all curb openings shall not exceed thirty (30) percent of the combined frontages.
- i. No curb opening will be approved which contemplates vehicle encroachment on any portion of the street right-of-way for loading, standing, or unloading.



- j. Curb openings must serve only those off-street parking spaces or loading zones that conform to Sandy City standards.
- k. Curb openings and driveways shall be paved and shall provide for adequate drainage.

**1. Unused or Abandoned Drive Approaches.**

- (1) Upon the issuance of a building permit, any unused or abandoned drive approaches or portions thereof shall be restored to the original curb section by the removal of the drive approach and replacement with high back curb and gutter to Sandy City Engineering Standards at the expense of the property owner adjoining that portion of the right-of-way.
  - (2) Upon refusal or neglect of the owner or agent to restore the unused or abandoned drive approach to their original high back curb and gutter section, the City shall proceed to do such work and all expenditures so incurred shall be charged against the owner or agent.
- m. Improvements in the public right-of-way shall be designed and constructed in conformance with the AASHTO specifications, including but not limited to the following:
- (1) The minimum design vehicle shall be the single unit truck.
  - (2) No object shall be so situated as to interfere with the required sight-distance of intersections as set forth in the AASHTO specifications.
  - (3) All driveways shall intersect the street at a 90 degree angle to a distance at least 20 feet from the back of the property line.

**E. Parking Lots and Loading Areas.**

1. **General.** There shall be provided at the time of erection of any main building or at the time any main building is enlarged or increased in capacity, minimum off-street parking space with adequate provision for ingress and egress by standard-sized automobiles in accordance with the requirements herein.
2. **Parking Areas, Development and Maintenance.** Every parcel of land used as a public or private parking area, including a commercial parking lot or an automobile, farm equipment, or other open-air sales lot, shall be developed and maintained in accordance with the following requirements:
  - a. **Minimum Parking Backout.** The minimum width of a parking space backout area for all parking lots designed with 90 degree parking, whether designed for single or double loaded parking, shall be a minimum of 24 feet.
  - b. **Curb.** The perimeter of all paved surfaces shall be finished with six (6) inch high concrete curbing with handicap ramps, where necessary.
  - c. **Parking Lot Surface.** Every parcel of land used as a parking or storage area shall be paved with an asphaltic, brick or concrete surfacing, and shall be so arranged and striped as to provide the orderly and safe loading or unloading and parking and storage of vehicles.
    - (1) Parking lot striping shall be maintained on a regular basis so that striping is visible for the safe ingress/egress and parking of vehicles.
    - (2) Parking lot shall be kept free of debris, including but not limited to trash, blowing debris, sand, dirt, gravel, etc.

- (3) Deviations to Surfacing Materials. The Planning Commission shall review and may approve or deny other types of surfacing materials.
- d. **Lighting.** Lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light down and away from adjoining residential premises.
- e. Required parking may be separated on the same site by landscaping or building elements.
- 3. **Service & Off-Street Loading Areas.** Loading and refuse collection areas shall not be permitted between buildings and streets, and must be screened from view of public and private streets.
  - a. Streets shall not be used directly for loading, unloading, or refuse collection.
  - b. Building and improvements upon lots must be designed to properly accommodate loading, unloading and refuse collection.
  - c. For every building or part thereof having a gross floor area of 10,000 square feet or more, which is to be occupied by a commercial or industrial use, to or from which delivery of materials or merchandise are regularly made by motor vehicle, there shall be provided and maintained, on the same lot with such building, at least one off-street loading space. Off-street loading spaces may not block use of required parking areas of site or adjacent sites.
  - d. Each loading space shall be not less than 12 feet in width and 25 feet in length and 14 feet high if covered or enclosed.
  - e. Such loading space may occupy the rear or side yard except that it shall be located no closer than 30 feet from the edge of the dock to any residential district.

**F. Screening at Boundaries of Residential Districts.**

- 1. For commercial and industrial developments abutting residential districts (except recognizable holding zones for future commercial or industrial development), an opaque fence shall be installed and maintained along lot lines that coincide with those zoning boundaries, other than streets, where the premises abuts a residential district.
- 2. The opaque fence shall be a minimum of six (6) feet in height but not more than eight (8) feet. A lower height fence may be required adjacent to a front property line for sight distance and traffic safety. Walls above 6 feet shall first be reviewed and approved by the Planning Commission during Site Plan Review.
- 3. Where there is a difference in elevation on opposite sides of the fence, the height of the required fence shall be measured from the highest elevation.
- 4. The opaque fence shall consist of one of the following:
  - a. Walls. Construction materials shall be brick or colored block masonry. Other masonry material shall require Planning Commission approval.
  - b. Under special conditions where it has been determined that the development may create unique impacts on an adjoining residential district, such as in the case of hillside devel-

opments or developments adjacent to dedicated open space, the Planning Commission shall review and may approve or deny other methods of screening such as bermed landscaping, open construction or other types of screening, and also screen height and placement of screening.

#### **G. Storage and Display Areas.**

1. Storage areas including but not limited to areas containing vehicle storage, merchandise, or equipment, etc., shall be screened with decorative opaque fencing and landscaping. Each wall or fence shall be at least 6 feet in vertical height or equal in height to the material to be screened and shall be sufficient to screen facilities from view of a public street and neighboring lots.
2. Vehicles and equipment for sale or rent may only be displayed within the required front landscape setback upon receipt of a separate Conditional Use Permit from the Planning Commission. In no case shall any display be permitted upon any required front landscape area without approval of designated concrete display pads.
  - a. The Planning Commission may approve no more than 2 concrete display pads within the required front landscape area for each 100 feet of owned or leased property street frontage (i.e. >150 feet of frontage would allow up to 3 display pads, but <150 feet would be limited to 2 pads).
  - b. Display pads may cover up to a maximum of 25% of the required front landscape area and shall not be more than 2 feet in height above the sidewalk grade.
  - c. No more than 2 additional concrete display pads may be approved by the Planning Commission in the areas of front landscaping that exceed the minimum required landscape depth and may cover up to a maximum of 15% of that additional landscaped area.
  - d. All display pads shall have landscaping to surround the concrete pads on the front (facing the street) and both sides to a width not less than 5 feet. Landscaping shall consist of additional combinations of shrubs and ground covers to enhance and soften the pad appearance.
  - e. All display shall be kept within approved display pads.
3. No outside display (either permanent or temporary) shall be permitted to block required driveways, traffic visibility, traffic and parking aisles, parking spaces, public rights-of-way (including sidewalks), nor be located upon any landscape area (other than on approved display pads).

#### **H. Trash Enclosure Areas.**

1. Enclosures shall be provided for all garbage containers (dumpsters) and shall be screened from view with decorative opaque fencing, gates and landscaping.
2. Each enclosure and it's gates shall be at least 6 feet in vertical height or equal in height to the trash dumpster to be screened and shall be sufficient to screen said facilities from view from public streets and neighboring lots.
3. No dumpster shall be located within ten (10) feet of any side or rear property line.

4. No dumpster shall be permitted in the required front building setback nor shall it block required driveways, traffic and parking aisles, parking spaces or public sidewalks.

**I. Mechanical Equipment.**

1. All **roof mounted mechanical equipment and vents (including swamp coolers)** shall be screened entirely from view from adjacent public rights-of-way and properties. This may be accomplished using one or more of the following alternatives: a separate continuous screening system or groupings of pieces of mechanical equipment with an architecturally designed screening system that blends with the architectural design and materials of the proposed building or by extension of the building's parapet wall to screen the equipment from public view.
2. All roof mounted mechanical equipment (including its height above the roof) and the proposed screening system ***shall be shown to scale***, on the building's structural plans and approved by the Community Development Director prior to issuance of a building permit. Said roof screen system shall also be designed and engineered structurally for drifting snow and wind loads and approved by the Plans Examiner of the Building and Safety Division.

- J. Lighting.** Reflectors, spotlights, floodlights and other sources of illumination may be used to illuminate buildings, landscaping, signs, parking and loading areas, provided they are equipped with proper lenses or other devices concentrating the illumination upon the building, landscaping, signs, parking and loading areas, and preventing any bright, direct illumination upon adjacent property or any public right-of-way. No unshielded lights, reflectors, spotlights, strobe lights, or search lights shall be so located that they are pointed towards or are directly visible from public rights-of-way.

All street light fixtures shall be installed to prevent light glare from adversely affecting adjacent properties. Exterior wall mounted floodlights are expressly prohibited. For parking lot lighting, pole mounted fixtures are recommended. Lighting of all pedestrian pathways is recommended. Lighting of a building and site identification signs are permitted.

Lighting will be judged as to how adequately it meets its intended purpose. Design and location of standards and fixtures shall be specified on the site development drawings. Intensities shall be controlled so that neighboring areas will not be adversely affected by glare or excessive direct light.

- K. Utilities.** All utility lines shall be placed underground in designated easements. No pipe, conduit, cable, line for water, gas, sewage, drainage, steam, electricity or any other energy or service shall be installed, and no pole or other support structure therefore shall be erected, altered or replaced, upon any lot (outside of any building) above the surface of the ground except for hoses, movable pipes used for irrigation or other purpose during construction.

1. Transformers shall be grouped with other utility meters where possible and screened with vegetation or other appropriate method. Gas meters and electric service meters & panels shall be located on the side of the building.
2. Each contractor and owner/developer shall be responsible to know the whereabouts of all underground utilities. Protection of such utilities shall also be their responsibility. Prior to construction, contact must be made with "Blue Stakes" to identify underground utility lines.
3. Where overhead poles exist, service lines to new developments must be placed underground from the nearest overhead service pole.

4. This section does not require removal of any existing electrical transmission facilities nor does it restrict the repair, minor relocation, and maintenance of any such existing facilities (transmission or distribution), except that the developer shall be responsible for the removing of utility poles out of the public right-of-way that may be left in the right-of-way after public improvements associated with the project are completed. All utility lines associated with the pre-existing utility pole(s) shall be placed underground across the frontage of the development, except as noted in paragraph 5.
5. For developments with frontages of 500 feet or less, the owners or developers of the property may, at the City's option and upon approval from the Director of Public Utilities, pay to the City a fee in lieu of burying existing overhead facilities across the frontage. The fee shall be deposited into a restricted capital projects account to pay the cost of burial at that site in the future. The amount of the fee shall be set by the City Council based upon an evaluation of reasonable burial cost.

**L. Service Stations - Additional Design Requirements.**

1. No more than one two-way driveway shall be permitted for any street frontage up to 100 lineal feet. Not more than two one-way access ways shall be permitted for any street frontage regardless of lineal feet.
2. Areas in which autos, trailers, etc., are stored for rental as an accessory use must be screened by a wall or opaque fencing to a minimum height of 6 feet.
3. Fuel pump island canopies located at service stations shall be set back a minimum of 20 feet from all front property lines.

**M. General Maintenance.** An overall maintenance schedule shall be implemented by property owners in maintaining all buildings, landscaping, fences, walls, drives, parking lots (including surfacing and striping), signs, or other structures. The property shall be maintained in good and sufficient repair in a safe and aesthetically pleasing manner. Roads and pavements shall be kept true to line and grade and in good repair. Drainage ditches shall be kept clean and free of any obstructions.

**N. Grading and Drainage.** Drainage from any lot must follow current Sandy City requirements as determined by the Sandy City Engineering Department.

1. Drainage shall not be allowed to flow upon adjoining lots unless an easement for such purpose has been granted by the owner of the lot upon which the water flows.
2. A site plan with grading, drainage, and clearing plans (including proposed vegetation removal) shall be approved by the Sandy City Planning and Engineering Departments before any such activities may begin.
3. Lot grading shall be kept to a minimum. Where possible, roads and development shall be designed for preservation of natural grade.
4. Grading shall not occur on any land where the natural slope is equal to or in excess of 30% in accordance with the provisions of the Sandy City Sensitive Area Overlay Zone.

- O. **Extended Hours within 250 feet of a Residential District.** Any commercial use located within 250 feet of a residential district where such commercial use desires to operate **after 10:00 pm and/or before 6:00 am** shall require a separate Conditional Use approval from the Planning Commission.
- P. **Industrial Uses within 300 feet of a Residential District.** Any industrial use located within 300 feet of a residential district shall require a separate Conditional Use approval from the Planning Commission.
- Q. **Distance Requirements for Alcoholic Beverages.**
1. A business licensed, or requesting to be licensed, for the on-premise consumption of alcoholic beverages, a state store or a package agency may not be established within 600 feet of any public or private school, church, public library, public or school playground or park as measured from the nearest entrance of the business by following the shortest route of either ordinary pedestrian traffic, or where applicable, vehicular traffic along public thoroughfares, whichever is closer to the property boundary of the public or private school, church, public library, public or school playground or park. Exception: The Planning Commission, after public hearing, may reduce the proximity requirements in relation to a church if the local governing body of the church in question gives its written approval.
  2. A business licensed, or requesting to be licensed, for the on-premise consumption of alcoholic beverages, a state store or a package agency may not be established within 200 feet of any public or private school, church, public library, public or school playground or park measured in a straight line from the nearest entrance of the business to the nearest property boundary of the public or private school, church, public library, public or school playground or park.
  3. The proximity restrictions of subsections (a) and (b) above govern unless one of the following exceptions applies:
    - a. The Planning Commission when considering a request for a premises licensed, or requesting to be licensed, to allow on-premise consumption of alcoholic beverages, a state store or a package agency, after giving full consideration to all of the attending circumstances, after a public hearing, may reduce the proximity requirements in relation to a church.
    - b. The 600 foot and 200 foot proximity limitations to educational, religious, and recreational facilities that apply to licenses that allow on-premise consumption do not apply to single event permits (Class E alcohol beverage licenses). However, the Planning Commission may consider the proximity of any educational, religious, or recreational facility, or any other relevant factor in deciding whether to grant a permit for a Class E licensed premises.
  4. In addition to the foregoing considerations on proximity, the Planning Commission, when considering a request for the location of a business licensed or requesting to be licensed for the on-premise consumption of alcoholic beverages, a state store or package agency, may also consider the proximity of any educational, religious, and recreational facility, or any other relevant factor in reaching a decision on a proposed location. For the purposes of this subsection, "educational facility" includes nursery schools, infant day care centers, and trade and technical schools.
  5. **Definitions.** For the purposes of this section only the following terms shall have these definitions:

- a. “Church” means a building set apart primarily for the purpose of worship in which religious services are held and with which clergy is associated, and the main body of which is kept for that use and not put to any other use inconsistent with its primary purpose, and which is tax exempt under the laws of the State of Utah.
- b. “School” means any building (public or private) used primarily for the general education of minors. “School” does not include trade or technical schools, or community colleges.

**R. Planned Commercial Center Development Standards.** In addition to the Non-Residential Development Standards listed above, all Planned Commercial Centers shall be developed in compliance with the following additional development standards:

1. **Site Plan Review.** Site Plan Review by the Planning Commission is required of all Planned Commercial Centers.
2. **General Site Design.**
  - a. A Planned Commercial Center shall be designed as an integrated complex of leasable (or individually owned) spaces in a single building or group of buildings. A master development site plan shall be prepared for Site Plan Review by the Planning Commission.
  - b. In addition to the Site Plan requirements of this Code, the Planned Commercial Center site plan shall show the relationship of all proposed & future buildings and pads to all parking facilities, pedestrian walkways, landscape areas, service entrances and abutting streets.
3. **Architectural Design & Materials.**
  - a. A common theme of architectural design and materials, approved by the Planning Commission, shall be followed for the overall project that will include all attached, detached and/or freestanding pad buildings.
  - b. All sides of all buildings on the site shall be built and treated with the same quality, design and colors as the front of the building in order to provide a good high quality appearance to existing and future surrounding uses.
4. **Cross Easements.** Cross Easements and common driveways on-site shall be required between all developments in the planned commercial center or between separately owned commercial developments where found to be practical by the Planning Staff. This will provide for a continuous flow of vehicles from one parking lot to another to prevent the need for unnecessary ingress and egress to the public street.
5. **Parking Lots and Loading.**
  - a. All required off-street parking shall be provided on the planned commercial center site.
  - b. Parking facilities need not be located in one consolidated area of a particular site, but may be separated by landscaping or building elements; however, all parking must be located conveniently to the entrances to all buildings with minimal rear parking for employee parking.
  - c. Reciprocal Parking & Driveways.



1. Reciprocal parking and driveways shall be designed into the planned commercial center's master development site plan that meets the overall parking requirements for all uses on the collective site.
2. When a planned commercial center is built in phases, the minimum number of parking stalls and all necessary driveways & access points required for the uses proposed in an individual phase, must be built with that phase of construction.
- d. All loading and unloading shall be performed on the site. Such on-site loading areas shall be in addition to required off-street parking and shall not be located within driveways.
- e. All loading areas shall be screened from view from all public streets and rights-of-way.
- f. Each loading area shall be not less than 12 feet wide, 25 feet long and, if enclosed or covered, 14 feet high. Adequate turning and maneuvering space is to be provided on the site.
6. **Landscaping.**
  - a. Landscape Design. A consistent landscaping design shall be developed for the overall planned commercial center that includes all pads and freestanding buildings.
  - b. Frontage. Where a planned commercial center abuts a public street right-of-way, there shall be an average of at least 30 feet of landscaping along the perimeter but in no case shall the front landscaping be less than 15 feet wide, exclusive of required driveways.
7. **Lighting.** A consistent lighting plan and light design including heights, light standard design and light intensity shall be established for the overall planned commercial center.
8. **Signs.** A Sign Theme shall be submitted which shall be approved by the Planning Commission at the time of Site Plan Review, that covers all signage on the site including all proposed center identification signs as well as a theme for all tenant signs within the planned commercial center project.
9. **Grading.** Grading of the overall planned commercial center shall be done in such a way as to allow all buildings, pads and other out building sites to be able to be tied together with reciprocal access driveways both on and off the site.
- S. **Industrial or Research Park Standards.** The Industrial or Research Park use is established to allow industrial, research, and related uses to be developed in a park-like environment. These regulations are intended to reduce the impact of industrial development on the surrounding community as well as to protect industry from the encroachment of incompatible activities.
  1. **Development Standards.** In addition to the General Non-Residential Development Standards listed above, developments approved as an Industrial or Research Park shall comply with the following standards:
    - a. Subdivided Park. If an Industrial or Research Park is to provide for ownership of individual lots, the following regulations shall apply:
      1. **Lot Size.** The site shall be of size sufficient enough to meet all the development standards.

2. Building Setbacks. Buildings shall be set back at least 30 feet from any public right-of-way and 20 feet from any private street.
  3. All lots within the park development shall have frontages upon interior dedicated streets.
  4. An Industrial or Research Park shall be located and designed so that no interior street is classified as an arterial or major collector street.
- b. Un-subdivided Park. If an Industrial or Research Park is to remain in one ownership, the following regulations shall apply:
1. Lot Size. The site shall be of size sufficient enough to meet all the development standards.
  2. Building Setbacks. Buildings within the park shall be set back at least 30 feet from any public street and 20 feet from any private street that abuts the development site.
  3. An application shall be filed jointly by all owners of the property.
  4. The Planning Commission shall require site design that will assure an arrangement of structures and open spaces in the Industrial or Research Park such that neighboring properties will not be adversely impacted.
  5. An un-subdivided Industrial or Research Park shall allow for common landscaped open space of at least 30 percent of the gross land area. Such open space shall be maintained in good condition by the park management.

#### **T. Industrial Environmental Standards**

1. General. No land or building devoted to industrial uses shall be used or occupied in any manner so as to create dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, glare, electrical, or other disturbance; liquid or solid refuse or waste; or other substance, condition, or element, in such a manner or in such an amount as to affect adversely the surrounding area or adjoining premises. The foregoing are hereinafter referred to as "dangerous or objectionable elements."
- a. State Agency Notification. The Director of Community Development shall confirm that the Environmental Health Services Section of the State Health Division is informed of applicants with uses that pose a potential risk.
- b. Performance Standards Review. In addition to meeting other application requirements for potential dangerous or objectionable elements, parties seeking a permitted or conditional use permit for an industrial use shall include in the application a description of the proposed machinery, products, and processes to be located at the development.

If, in its opinion, the proposed use may cause the emission of dangerous or objectionable elements, the Planning Commission may refer the application for investigation and report to one or more expert consultants qualified to advise as to whether a proposed use will conform to the applicable environmental and performance standards specified in this Code. The cost of such expert report shall be borne by the applicant.

- a. Ruling by Planning Commission. Within twenty days after the Commission has received the aforesaid application or report, if a report was required, the Commission shall determine whether reasonable measures are proposed to be employed to assure compliance with the applicable environmental performance standards. On such basis, the Commission may authorize or refuse to authorize issuance of a Conditional Use Permit or may require a modification of the proposed plans, construction specifications, device or operation, and shall so inform the Chief Building Official.
- b. Continued Compliance. Any permit so authorized and issued shall evidence only that reasonable measures are proposed to be taken. It shall not relieve the applicant of the responsibility of meeting all performance and environmental standards when the plant is actually in operation; and, in case of a failure to perform in accordance with the standards, whatever additional devices or modifications in process shall be necessary to achieve full compliance with the standards are required to be made and shall be the sole responsibility of the applicant.
- c. Continued Enforcement. The Director shall investigate any purported violation of environmental or performance standards; and if necessary for such investigation, may request that the Department of Community Development employ qualified experts.

If, after due notice and a public hearing, the Planning Commission finds that a violation has existed or does exist, it shall order the Director to serve notice that compliance with the environmental or performance standards must be achieved within a specified period of time or the plant will be shut down.

Should the violation of environmental or performance standards pose an immediate threat to public health, convenience, or welfare, the Mayor may order the offending plant to cease operation until proper steps are taken to correct the conditions which cause the violation.

The services of any qualified experts employed by the Planning Commission to advise in establishing a violation shall be paid by the violator if said violation is established.

- f. Locations Where Determinations Are to be Made for Enforcement of Environmental and Performance Standards. The determination of the existence of dangerous and objectionable elements shall be made at any point; provided, however, that the measurements having to do with noise, vibration, odors, or glare, shall be taken at the lot line of the establishment or use.

(1) Dangerous and Objectionable Elements.

- (a) Noise. No use shall emit or cause the emission of sound from a stationary source such that one hour equivalent sound level (Leq) of resultant sound measurement at the lot line of the establishment or use exceeds by 6 dBA or more, the one-hour equivalent sound level (Leq) caused by ground transportation as estimated for that point of measurement and that time of day, pursuant to FHWA-RD-77-108 Highway Traffic Noise Prediction Mode, or by other techniques at least as accurate as those set out in FHWA-RD-77-108.

The sound level measuring instrumentation shall conform with ANSI S1.4-1971 Type 1, and the measurement procedure shall be compatible with that according to ANSI S1.13-1977, with the following adjustments:

1. Adjustment for Temporal and Tonal Characteristics of Sound. If the sound has a pronounced audible tonal quality such as a whine, screech, buzz, or hum, or if the sound has an audible cyclic variation in sound level such as beating or other amplitude modulation, 5 dBA shall be added to the measured sound level to allow for increased subjective response to the sound.
2. Quasi-Steady Impulsive Sound. Where the sound is of a repetitive impulse nature so that a steady reading is obtained using the "slow response" setting on the sound level meter, then 10 DBA shall be added to the measured value to allow for the increased subjective response to the sound.
3. An adjustment may be made under only one of the Sub-paragraphs A and B. In a case where both paragraphs apply, then paragraph A takes precedence.

No use shall emit or cause or permit the emission of sound of an impulsive nature from a stationary source such that it results in an impulsive sound level at a point of measurement in excess of 80 dBA or in a one-hour equivalent level (Leq) exceeding that one hour equivalent (Leq) level caused by ground transportation as estimated for that point of measurement and that time of day, pursuant to FHWA-RD-77-108 or equivalent method.

- (b) Vibration. No vibration (other than from transportation facilities or temporary construction work) shall be permitted which is discernible without instruments at the property line of the industrial use.
- (c) Odors. No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air to four volumes of clean air at the property line of the industrial use or at the point of greatest concentration. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system so that control will be maintained if the primary safeguard system should fail.
- (d) Glare. No direct or sky-reflected glare, whether from flood lights or from high temperature processes such as combustion or welding or otherwise shall be permitted to be visible at the property line of the industrial use. This restriction shall not apply to signs or lighting of buildings or grounds for advertising or protection otherwise regulated by the provisions of this Code.
- (e) Fire and Explosion Hazards. All activities involving, and all storage of flammable and explosive materials, shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate fire fighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires is prohibited at any point.
- (f) Air Pollution. No particulate or gaseous pollutants shall be emitted into the air in violation of the Utah State Air Conservation Act, its amendments, or resulting regulations.
- (g) Liquid or Solid Wastes. No discharge at any point into a public sewer, private sewage system, stream, ditch, canal, or into the ground shall be allowed contrary to the Utah State Water Pollution Control Act, its amendments, the subsequent

Wastewater Disposal Regulations, or the Utah Code on Solid Waste Disposal Regulations.

- (2) All uses must meet any other applicable city, county, state or federal regulations.

#### 15-06-03 General Residential Development Standards

- A. **Purpose of General Residential Development Standards.** The purposes of this Section are: (1) To promote the health, safety and general welfare of the residents of Sandy City [also referred to as “City” or “City of Sandy” in this Chapter]; (2) To provide for the orderly development of the City, with adequate provisions for traffic, light, air, recreation, transportation, water, drainage, sewage and other public requirements; and (3) To require all roads and roadway features to meet minimum design standards established by the American Association of State Highway and Transportation Officials (AASHTO), all signs, pavement markings, and traffic control signals to meet standards established by the Manual on Uniform Traffic Control Devices (MUTCD), and related roadway standards established by State, Federal, or local law. Exceptions to applicable standards may be granted by the City Engineer on a case by case basis and shall demonstrate innovative superiority or other advantages over existing standards.
- B. **Curbs, Gutters, Sidewalks and Drive Approaches.** Unless waived by the Planning Commission upon recommendation from the City Engineer, curbs, gutters, and sidewalks shall be installed on all existing and proposed streets and along the frontage of any lot within a subdivision in conformance with the City's standard specifications and details for municipal construction. Inspection by the Engineering Division is required for the installation of all curbs, gutters, sidewalks, and drive approaches. If the developer/builder fails to notify the Engineering Division for inspection prior to installation, the City Engineer may require remedial action, including, but not limited to, the removal and replacement of the improvements in question.
- C. **Residential Driveways**
1. Driveways shall be provided for all residential building lots. The drive approach for the driveway shall be a minimum width of 12 feet and shall not exceed the maximum width of 30 feet. A secondary drive approach may be permitted upon review and approval by the City Engineer.
  2. No downsloping driveways shall be permitted, unless otherwise approved by the City Engineer due to unusual topographic constraints. The driveway must maintain a positive slope away from the home as required by the Uniform Building Code.
  3. The minimum grade at which a driveway shall be allowed to be built is 2 percent slope and the maximum grade at which a driveways shall be allowed to be built is 12 percent slope except as hereafter provided. The City Engineer, under exceptional circumstances, may approve driveway slopes having a grade exceeding 12 percent and may impose conditions of approval to mitigate any hazards created by the steepness of the driveway.
  4. Residential Driveways shall be constructed with a minimum concrete thickness of four (4) inches, installed on a minimum of six (6) inches of compacted untreated base course or six (6) inches clean, two (2) inch minus sewer rock.
- D. **Culinary Water Systems.** The developer shall extend culinary water systems to each lot within a subdivision and shall be in conformance with Sandy City's Specifications and Details for Municipal Construction. The developer shall install water lines and laterals throughout the subdivision, extending to the farthest boundaries thereof, or beyond as may be determined by the City as necessary

to provide service. All water utility trenches within Sandy City right-of-way shall be compacted in conformance with the Sandy City Standard Specifications and Details for Municipal Construction. All trenches located outside of Sandy City right-of-way located beneath the driveway or within five (5) feet of any public improvement shall be backfilled in twelve [12] inch maximum lifts and mechanically compacted. Backfill and compaction operations shall be certified in writing to the Community Development Department by the developer/builder prior to the City issuing a certificate of occupancy. The developer shall locate and mark at the property line, the location of the ends of water laterals.

- E. **Fire Hydrants.** Fire hydrants shall be installed by the developer in accordance with the City's specifications and details for municipal construction, the Uniform Fire Code, and other local ordinances, at locations designated by the Fire Department as shown on the preliminary plat and City approved construction drawings.
- F. **Sanitary Sewer and Other Utility Systems.**
1. The developer shall extend sanitary sewer systems to each lot in a subdivision in conformance with the requirements of the responsible sewer district and the City's specifications and details for municipal construction. The developer shall install main sewer lines and laterals throughout the entire subdivision, extending to the farthest boundaries thereof or beyond as determined by the City to be necessary to provide service. All sanitary sewer trenches within Sandy City right-of-way shall be compacted in conformance with the Sandy City Standard Specifications and Details for Municipal Construction. All trenches located outside of Sandy City right-of-way located beneath the driveway or within five (5) feet of any public improvement shall be backfilled in twelve [12] inch maximum lifts and mechanically compacted. Backfill and compaction operations shall be certified in writing to the Community Development Department by the developer/builder prior to the City issuing a certificate of occupancy. The developer shall locate and mark at the property line the location of the ends of sanitary sewer laterals.
  2. All trenches for utility installation within Sandy City right-of-way shall be compacted in conformance with the Sandy City Standard Specifications and Details for Municipal Construction. All trenches located outside of Sandy City right-of-way located beneath the driveway or within five (5) feet of any public improvement shall be backfilled in twelve (12) inch maximum lifts and mechanically compacted. . Backfill and compaction operations shall be certified in writing to the Community Development Department by the developer/builder prior to the City issuing a certificate of occupancy.
- G. **Drainage Systems.** Surface water runoff drainage systems shall be designed to handle all runoff generated within the subdivision by a 10 year 3 hour storm and routing of water generated by a 100 year 72 hour storm will be provided. Such systems shall be designed and installed by the developer according to the City's specifications and details for municipal construction.
- H. **High Water Table Areas.**
1. In areas that are known for the potential of ground water impacts, a ground water investigation shall be made by a geotechnical engineer and provided to the City for review with the application for final plat approval to include the following:
    - a. What mitigation measures should be taken to assure that homes will be protected from potential ground water impacts, including a proposed method of ground water disposal to be reviewed and approved by the City Engineer or his/her designee.

- b. The developer shall provide ground water information to each lot purchaser/owner and disclosure the information on the plat.
2. Ground water drainage systems, if required, shall be designed and installed in accordance with construction standards and specifications determined by the City Engineer or his/her designee.
3. All drainage systems shall be extended to the outermost boundaries of the subdivision by the developer.
4. The developer shall install or replace, when required by the City, all sewer and water systems within a high water table area to eliminate or minimize possible damage to such systems.
5. The City may prohibit basements in high water table areas upon recommendation from the City Engineer.

#### **I. Flood Plain Areas**

2. In any subdivision in or adjacent to a flood plain identified by the Federal Emergency Management Agency (FEMA), the developer shall comply with the provisions of this Chapter.
3. Design and develop the subdivision to provide each lot with a buildable area that will permit the lowest floor elevation, including the basement, to be constructed one (1) foot above the one hundred (100) year flood elevation. The developer is required to obtain an elevation certificate prior to issuance of building permits.
4. Design the subdivision to minimize the effects of flooding and to facilitate the flow of surface water runoff.
5. Submit the following base flood elevation data with the application for preliminary plat approval:
  - a. The elevation of the one hundred (100) year flood elevation in relation to mean sea level. Also, as noted on FEMA maps.
  - b. The elevation of the lowest floor level, including basements, of proposed dwellings. An elevation certificate will be required for all dwellings in areas adjacent to a flood plain.
6. The City may maintain a record of all the information required in subsection (D) above.
7. Install or replace, when required by the City, all sewer and water systems within an identified flood plain to eliminate or minimize possible damage to such systems, discharge from such systems into flood water, or infiltration of floodwaters into such systems.
8. All new storm drain and water systems shall be approved to ensure compliance by the Sandy City Public Utilities Department.

#### **J. Alteration or Relocation of Natural Waterways**

1. Alteration or relocation of any natural waterway shall receive approval from the State Engineer's Office, Army Corps of Engineers and the Salt Lake County Flood Control Department or its successor.
2. A request for alteration or relocation of a natural waterway shall be accompanied by appropriate

approval by the City Engineer and Public Utilities Chief Engineer or his/her designee to ensure the following:

- a. That the flow capacity and velocity of the waterway will not change with the proposed alteration or relocation.
- b. That the soils conditions in the proposed location will not increase flooding potential.
- c. That the proposed waterway can be adequately maintained.

#### K. Streets

1. The arrangement, character, extent, width, grade, and location of all streets shall conform to the Transportation Master Plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
2. Where the Transportation Master Plan does not show proposed streets, the arrangement of street in a subdivision shall either:
  - a. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
  - b. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
3. All street and right-of-way improvements shall be designed and constructed in accordance with the City's standard specifications and details for municipal construction.
4. Street right-of-way widths shall be as shown on the Transportation Master Plan and where not shown therein, shall not be less than the following:

Street Type	Right-of-Way Width
Major Arterial	106+ feet
Minor Arterial	84 feet
Major Collector	80 feet
Minor Collector	66 feet
Local	50 feet
Private	27 feet (pavement width minimum)

5. Half streets are prohibited, except where it can be shown that it is essential to the development of the subdivision in conformance with the other requirements of these regulations; and where the Planning Commission upon recommendation by the Engineering Division, finds it will be practicable to require the dedication and improvements to the other half when the adjoining property is subdivided. A minimum pavement width of 27 feet will be required.



6. A cul-de-sac may be permitted on local streets only and shall be terminated by a turn-around of not less than ninety-two (92) feet in diameter, as measured from top back of curb to top back of curb. A cul-de-sac shall not exceed four hundred (400) feet in length in a residential zone. A cul-de-sac in the Sensitive Area Overlay Zone shall not exceed six hundred (600) feet in length, unless otherwise permitted by the Planning Commission upon recommendation from the Engineering Division. A cul-de-sac length is measured from its intersection with another street to the end of the cul-de-sac turn-around.
  7. Streets shall be laid out so as to intersect as nearly as possible at right angles.
  8. No street names shall be used which will duplicate or be confused with the names of existing streets. Street names may be subject to the approval of the Salt Lake County Recorder's Office.
  9. Local streets shall be so laid out that their use by through traffic will be discouraged.
  10. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Planning Commission may require a local access street approximately parallel to and on each side of such right-of-way.
  11. Where a subdivision abuts or contains an existing or proposed arterial or collector street, the Planning Commission may require local access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
  12. Parkstrips shall be required on all streets, unless otherwise determined by the Planning Commission and shall be designed and installed according to the City's standard specifications and details for municipal construction.
  13. The requirements of this section may be waived or modified by the Planning Commission after considering a recommendation from the City Engineer and the location and intended use of the proposed street.
- L. **Private Streets and Driveways.** Public street systems shall be encouraged for access to all residential dwelling sites. Where insufficient land access exists for a public street system, a private street system may be approved (as provided elsewhere in this code) in conformance with construction design standards and as approved by the City Engineer, and where it can be shown that no other alternatives remain or where the underlying zone may allow it.
1. Approved driveways/private streets for access to residential dwelling structures shall have a 20 foot minimum width paved surface.
  2. Approved driveways/private streets less than 150 feet in length may serve as access for up to four lots without special requirements for turnarounds.
  3. Approved driveways/private streets greater than 150 feet in length may serve as access for up to five lots. Driveways/private streets that have required fire department access exceeding 150 feet in length shall be provided with an approved turn-around as determined by the Fire Department. Turn-around configuration shall be approved by the Fire Department.

4. Approved driveways/private streets greater than 150 feet in length may serve as access to more than five lots but are required to provide a cul-de-sac turnaround with a minimum asphalt width for a public street and with the engineering specifications of a public street.
5. All private streets shall be constructed in accordance with the latest edition of the Sandy City Standard Specifications for Municipal Construction, this development code, and all other applicable city ordinances.

**M. Buffering Along Arterial Streets.** Residential Developments shall not be so constructed as to permit motor vehicle access directly onto an arterial street or roadway from individual residential lots. No new residential developments shall be permitted within the City which abut an arterial without requiring improvements along the entire length of the development as it abuts the arterial street, to the following standards:

1. The Planning Commission may require a barrier wall, six (6) feet in height (measured from the highest elevation on either side of the wall); except, that where soil retention is required, walls may be up to eight (8) feet in height (retaining wall and barrier wall combined). All such walls shall meet design specifications adopted by the Planning Commission. Wall design and construction shall be determined by the Planning Commission. The use of alternative wall materials, appearance, and color is encouraged. Concrete strips, placed at the base of the fence, shall be required to eliminate gaps between walls and sidewalks.
2. Curb, gutter and sidewalk to specifications approved by the City Engineer.
3. Asphalt and other roadway improvements to the center line of the arterial.
4. A minimum five (5) foot landscaped buffer between the sidewalk and street curb, such landscaping to be installed according to the City's specifications and details for municipal construction for arterial and collector streets.
5. Sprinkling system and water connections sufficient to maintain landscaping in all buffer areas to specifications approved by the Public Utilities Department and Parks & Recreation Department.
6. An additional landscaped buffer, including sprinkling and water connections, may be required by the Planning Commission, between the sidewalk and barrier wall, where it is impractical for the barrier wall to abut the sidewalk. The specific width of the buffer and landscaping specifications shall be determined by the Planning Commission, upon recommendation by the Parks Director, at the time of final subdivision review.

**N. Protection Strips.** Reserve or protection strips controlling access to streets shall be prohibited. However, where the said streets to which access is controlled parallel property of other owners which are contiguous and which other property can be reasonably inferred to be benefited by the said street or the utilities within it shall be allowed under the following criteria:

1. It has received approval of the Mayor, after written and oral disclosure to the City Council.
2. It is no less than one (1) foot nor more than five (5) feet in width and is located abutting the dedicated street and between the street and the adjacent property.
3. It is placed within the boundaries of the recorded subdivision and is specifically indicated as undedicated property and as a "protection strip."

4. It is not located at the end of or within the boundaries of a public or proposed street or within or having application to any area indicated for future public use.
5. The subdivider shall execute an agreement with the City running to the benefit of the owners of the adjacent property that: Upon payment of consideration of not more than the fair cost of the land within the protection strip, the street improvements properly chargeable to the contiguous property plus the value of 1/2 of the land within the street at the time of the agreement the said strip shall be deeded to the adjacent owner, his heirs, executors or assigns.
6. The said agreement shall have force and effect for no longer than ten (10) years at which time any remaining interest of the subdivider shall vest in the City for use as a dedicated right of way. A deed shall be submitted with the agreement conforming to such requirements.
7. The agreement shall provide that an abutting owner, his heirs, executors or assigns may purchase said protection strip as aforesaid in whatever portion he may desire, provided that no portion shall be less than that attributable to a normal size lot for the existing subdivision, and no less than that portion attributable to lots then being developed, sold or improved by the said adjacent owner, his heirs, executors or assigns, and the portion purchased is used in relation to a building lot and not as a right of way only.
8. The agreement shall provide that the subdivider creating it shall maintain the protection strip whatever its size.

**O. Block Length**

1. The lengths, width and shapes of blocks shall be determined by the following:
  - a. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
  - b. Zoning requirements as to lot size and dimensions.
  - c. Needs for convenient access, circulation, control and safety of street traffic.
  - d. Limitations and opportunities of topography.
2. Block lengths shall not exceed twelve hundred (1200) feet.
3. Pedestrian crosswalks shall be required where deemed essential to provide circulation or access to churches, schools, playgrounds, shopping centers, transportation, and other community facilities in accordance with the City's standard specifications and details for municipal construction.

**P Bridges.** The developer shall pay all costs of designing and constructing or installing any bridge, pipe, culvert or other structure required by the City for any ditch, canal, etc. within the subdivision or adjacent thereto.

**Q. Walkways and Trails**

1. Walkways up to six (6) feet in width may be required within a subdivision.

2. The developer may be required to dedicate a sufficient amount of property to be used exclusively as a pedestrian access walkway. Such parcels to be dedicated shall be located in a position within the development as may be determined by the Planning Commission. The parcel shall also be of a size large enough to allow for such a walkway, such size to be determined by the Sandy City Planning Commission.
  3. The developer may be required to install upon the walkway such improvements as determined by the Planning Commission and the City Engineer. All such improvements shall be erected and constructed in accordance with standards as may be established by the Sandy City Planning Commission and City Engineer.
- R. **Monuments.** Survey monuments shall be indicated on the final plat. A permit and approval from the Salt Lake County Surveyors Office for the installation of survey monuments must be obtained prior to the setting of any monuments and before any subdivision improvements are accepted.

S. **Easements**

1. Easements for utilities and drainage shall be provided where necessary as determined by various public utility agencies, the Sandy City Public Utilities Department and Public Works Department.
2. Easements for surface water runoff drainage, canals, irrigation ditches, waterways, public utilities, clear vision areas and rights-of-way within the subdivision and across adjoining property may be required by the City when necessary to properly serve the subdivision or protect the citizens of the City.
3. Open ditches or canals shall not be allowed within or adjoining a subdivision except along rear or side lot lines. The subdivider shall work with canal, ditch, drainage, irrigation companies and Sandy City Public Utilities Department as to:
  - a. Methods of covering, realigning or eliminating ditches or canals within or adjoining the subdivision.
  - b. The size of pipe and culverts required.
  - c. The responsibility for the periodic inspection, cleaning and maintenance of such ditches, pipes and culverts shall be approved by the Sandy City Public Utilities Department. In cases where canals or ditches cross public roads or proposed public roads, specifications and grades for pipe or culvert must be approved by the Sandy City Public Utilities Department and City Engineer in accordance with the City's specifications and details for municipal construction.
  - d. The subdivider may be required to install a six (6) foot non-climbable fence, or its equivalent, along all open ditches, canals, or waterways, open reservoirs or bodies of water, railroad right-of-way and other such features of a potentially hazardous nature, on or contiguous to the property being subdivided as determined by the Planning Commission.
  - e. After installation and acceptance by Sandy City, individual property owners are responsible for maintenance of fences or portions of fences erected upon their property and shall hold Sandy City harmless for any and all defects of workmanship, maintenance repair and liabilities arising from the erection or intended use of said fence.

4. Easements for public trails shall be provided where necessary as determined by various public agencies, including the Sandy City Parks and Recreation Department, the Salt Lake County Parks and Recreation Department and the U.S. Forest Service.

#### **T. Public Utilities**

1. The developer shall be responsible for the installation of service lines prior to street paving.
2. All utilities which will serve the parcel being subdivided shall be buried beneath the surface of the ground and shall be located within the easements provided for such use or within the streets, at a location to be determined by the City.
3. All utility structures shall be included as part of the construction drawings submitted with the final plat.
4. There shall be no above-ground utility structure placed in a street but may be placed within the sidewalk and/or parkstrip as approved by the Public Utilities Department and Public Works Department.

#### **U. Street Lighting**

1. The developer shall follow the requirements as outlined in the most current edition of Title 13, Chapter 7, Revised Ordinances of Sandy City [R.O.S.C.] (Sandy City Street Lighting Ordinance).
2. The street lights shall be placed as approved by the Public Utilities Director or his/her designee. Such items to be approved include appropriate distance, alternating sides of street, location upon the property, street light type, height, and illumination intensity as determined by the City's specifications and details for municipal construction.

#### **V. Lots**

1. Every parcel of land created by a subdivision shall comply with the minimum lot size requirements of the City Zoning Ordinance, and shall be platted as part of a subdivision. No parcel of land shall be created or left unplatted which is either undevelopable or serves merely as a nuisance or lot remnant.
2. Except for more flexible requirements listed in sub a and sub b below, or as those pertaining to planned unit developments, or as may be otherwise provided in this Code, all lots shall have the required frontage upon a dedicated and improved street.
  - a. Residential building lots that do not have frontage upon a public street shall obtain a conditional use permit prior to plat approval.
  - b. Commercial building lots within a recorded subdivision are exempt from this requirement (they may be developed without direct frontage upon a public street).
3. Where a canal abuts a subdivision the area of the portion of the canal which is located in the lot(s) shall not be included in the computation of total lot size nor side or rear yard setbacks for purposes of determining compliance with the Sandy City Land Development Code.
4. All lot corners, points of curvature, tangency, and bearing changes shall be marked with

permanent metal stakes approved by the City. The front corners of the lot shall be marked as per the standard specifications and details for municipal construction.

5. Double frontage, and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
6. Where possible, side lot lines shall be substantially at right angles to street lines.

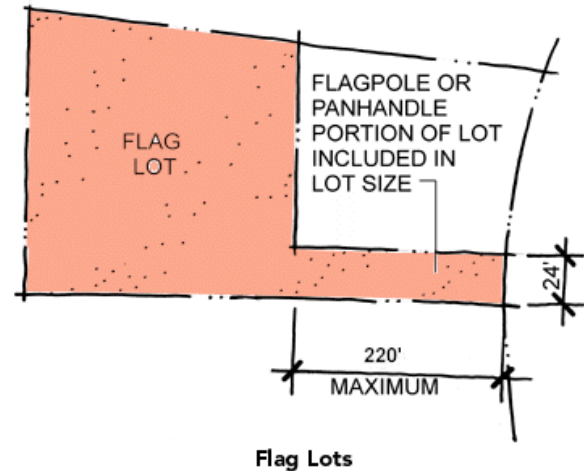
**W. Flag Lots.** In order to encourage the more efficient use of land, flag or L-shaped lots may be allowed as a conditional use (a permitted use within the Sensitive Area Overlay District) subject to the following conditions:

1. A flag or L-shaped lot shall be comprised of a staff portion contiguous with the flag portion thereof.
2. That staff portion of said lot shall front on and be contiguous to a dedicated public street or private street. The minimum width of the staff portion of flag lots shall be 20 feet and the maximum length shall be 220 feet unless otherwise approved by the Planning Commission and Fire Department.
3. No building or construction, except for driveways, shall be allowed on the staff portion of said lot unless the minimum width thereof is the same or greater than the minimum width for a lot as allowed in the underlying zone (excluding entrance features and street lights).
4. The front side of the flag portion of said lots shall be deemed to be that side nearest to the dedicated public street or private street upon which the staff portion fronts.
5. The staff portion of said lots shall be deemed to end and the flag portion of said lots shall be deemed to commence at the extension of the front lot line.
6. The square footage located in the flag portion of said lot, which shall be exclusive of the square footage located in the staff portion of said lot, shall be the same or greater than the minimum square footage as required in the underlying zone.
7. The side and rear yard requirements of the flag portion of said lots shall be the same as is required in the underlying zone.
8. The minimum front setback requirements for all buildings shall be 30 feet, excluding the staff, from the front lot line of the flag portion thereof. Other setbacks shall be those on the underlying zone.
9. No more than two flag lots can be served by one staff portion.
10. All flag lots in the development site shall be approved in the site plan by the Planning Commission.
11. The maximum number of flag lots in the subdivision shall be not more than 20 percent of the total number of lots within the subdivision, unless otherwise approved by the Planning Commission.
12. The approved building envelope shall be illustrated upon the final plat.

13. Figure #1, attached hereto and specifically made a part of this Section, is an example of a "flag lot" and is included herein to illustrate the concept of "flag" or "L-shaped" lots.

#### X. Seismic Areas

1. Any subdivision or lot on or adjacent to a seismic area shall comply with provisions of the Sensitive Area Overlay Zone.
2. A subdivision lot shall be designed so that a building can be erected on the lot without encroaching the zone of deformation. No building shall be erected on or within a zone of deformation. Subdivision plats in seismic locations shall be identified with one (1) inch letters that read "EARTHQUAKE HAZARD AREA" and shall be located on the final plat.
3. A subdivision, or lot, on or adjacent to an identified fault line or fault escarpment, shall contain two or more access streets.
4. A special report which details all environmental, geological, and engineering concerns for subdivisions proposed within a sensitive area shall be submitted as outlined in the Sensitive Area Overlay Zone. This information shall also be reviewed by the Salt Lake County Geologist.



**Figure 1: Typical Flag Lot**

#### Y. Public Sites and Open Spaces

1. Where a proposed park, playground, school, trail or other public use as shown in the General Plan, is located in whole or in part within a subdivision, the Planning Commission may require the dedication or reservation of such area.
2. Where deemed appropriate by the Planning Commission, upon consideration of the particular type of development proposed in the subdivision, the Planning Commission may require the dedication or reservation of such other areas, the need for which is created by or added to by such development for schools, parks, and other neighborhood purposes.

#### Z. Waivers

1. Where the subdivider can show that a provision of these general requirements would cause unnecessary hardship if strictly adhered to and where, because of topographical or other conditions peculiar to the site, in the opinion of the Planning Commission a departure may be made without destroying the intent of such provisions a waiver may be granted.
2. Any departure so authorized by the Planning Commission shall be stated on the final plat and the reasons for such departure shall be entered in writing in the minutes of the Planning Commission.

#### 15-06-04 Property Addressing, Street Naming, and Design Standards

- A. **Purpose.** This Chapter is established to provide a standard system for consecutive and logical

numbering of streets and properties, to avoid the duplication of street names within Sandy City and Salt Lake County and to avoid similar sounding names or confusing designators. This Chapter shall establish standard procedures for changing existing street names or adding names to existing numbered streets, keeping addressing numbers clearly identifiable and to provide a complete current listing of all streets and addresses within Sandy City.

**B. Street Naming.** The following standards shall be applied to the naming of streets in the City of Sandy:

1. Duplication. Proposed street names that duplicate existing street names in the City or elsewhere in the valley shall be avoided.
2. Confusion. Proposed street names that sound very similar to existing names, or street names that have unconventional spellings shall be avoided.
3. Continuity. Proposed street names are encouraged to have the following characteristics:
  - a. Historic significance.
  - b. Local color and sense of place.
  - c. Overall theme.
  - d. Compatibility with adjacent streets.
4. Name Length. Proposed street names shall not be longer than the typical 17 blank street sign (including spaces between words). Names shall appear unabbreviated.
5. Required Naming. In order to minimize confusion and to facilitate proper addressing, the following types of proposed streets shall be named:
  - a. Streets that change direction.
  - b. Loop or horseshoe streets.
  - c. Streets that have intersection coordinate changes.
  - d. Cul-de-sacs.
  - e. Dead-end streets that will likely be extended as above.
6. Thoroughfare Designations. Proposed street names and street types should be matched as follows:
  - a. Boulevard, Parkway - arterials and collectors with planted medians.
  - b. Drive, Road - streets longer than 1000 feet.
  - c. Way - curvilinear streets longer than 1000 feet.
  - d. Streets, Avenues - straight directional streets.



- e. Lanes - short secondary connecting streets.
  - f. Circle, Court, Place, Cove - cul-de-sacs and permanent dead-end streets.
- C. **Street Numbering.** All streets and intersections shall have numbered coordinates. On streets that do not conform to the four compass directions, numbered coordinates should be assigned from the axis that most nearly matches the principal direction of the thoroughfare. For simplicity, street numbers shall end with the digit "0" or "5". Private numbering systems shall be avoided.
- D. **Property Numbering.** The following standards shall be applied to the numbering of properties in the City of Sandy:
- 1. Juxtaposition. Building numbers should be comparable (but not duplicated) on parallel streets and should be in consecutive order.
  - 2. Even-odd. Building numbers should be assigned to opposite sides of the street as determined under the Salt Lake Meridian Grid System.
  - 3. Compass Direction. On streets that do not conform to the four compass directions, building numbers should be assigned from the axis that most nearly matches the principal direction of the thoroughfare.
  - 4. Corner Lots. Dual addresses on corner lots shall be avoided.
  - 5. Buildings Without Public Frontage. Buildings that are hidden behind other buildings or do not have public frontage shall be numbered from the centerline of the principal access or driveway.
  - 6. Insufficient Numbers. Where insufficient numbers exist for proper addressing (e.g., buildings without public frontage), a private lane shall be assigned a numbered coordinate to facilitate addressing.
- E. **Building Identification.** All buildings shall have numbers, and such numbers shall be identified using the following standards:
- 1. Background. Numbers shall be set on a background of a contrasting color.
  - 2. Size. Numbers shall be large enough to be seen easily from the street.
  - 3. Visibility. When a dwelling is some distance from a street or when view of the dwelling is blocked by trees or shrubs, numbers should be displayed on a sign attached to a fence, gate, street mailbox, or lawn stake.
  - 4. Corner Lots. On corner lots, house numbers should face the street named in the address.
- F. **Record Keeping.** The following standards should be adhered to in maintaining addressing records:
- 1. Numbers Assigned. Numbers shall be assigned by the Director or his designated representative.
  - 2. Inventory. A complete inventory of existing street names and building numbers shall be compiled and maintained in the Community Development Department.

- G. **Procedures.** All proposed street names shall be coordinated with the Salt Lake Area Post Office to avoid duplication. In addition, the following procedures shall be adhered to with new development and the proposed changing of street names.
1. Subdivision. Street names shall be approved by the Planning Commission before final plat approval. Street coordinates and house numbers shall be assigned by the address coordinator or his designated representative and shall be placed on the subdivision linen by the developer before recording the plat.
  2. Commercial, Industrial and Multi-Family. The address coordinator or his designated representative shall assign numbers to site plans before final site plan approval.
  3. Duplicate Street Names. The City Council may change duplicated street names without a petition when it is determined that the change is in the public interest. The following criteria should be used in eliminating street name duplications:
    - a. Historical significance
    - b. The number of buildings addressed on the street.
    - c. The length of time that the name has been in use.
    - d. The length of the street and the amount of traffic.
    - e. Compatibility with adjacent street names.
  4. Changing Existing Street Names. The City Council at public hearing may change existing street names by petition or by recommendation of the address coordinator in cases where streets will align with different names.
  5. Adding Names to Existing Numbered Streets. The City Council may add street names to existing numbered streets by petition or by recommendation of the address coordinator. New names shall be coordinated with the Salt Lake Area Post Office. A public hearing shall be held before a final determination is made.
- H. **Penalty.** The violation of any provision of Section 15-06-04 shall be deemed an infraction.

#### 15-06-05 Off-Street Parking Standards

- A. **Purpose.** These regulations are established to reduce street congestion and traffic hazards in Sandy City by incorporating adequate, attractively designed facilities for off-street parking as an integral part of every use of land in the City. These regulations are intended to complement any performance standards relating to development of parking lots as may be contained in other chapters of this Code.
- B. **General Provisions**
1. General. There shall be provided at the time of erection of any main building or at the time any main building is enlarged or increased in capacity, minimum off-street parking space with adequate provision for ingress and egress by standard-sized vehicles in accordance with the requirements herein.

2. Parking Space Size. All parking spaces shall be 9 feet wide by 20 feet long, including those spaces located within a parking structure, as designated on diagram in Chapter 15-18-5(b)(7). The only exception to this standard shall be:
  - a. Where cars overhang landscape areas which are at least 15 feet wide along street frontages and at least 5 feet wide along side or rear property lines.
  - b. Where cars overhang an overly large sidewalk area adjacent to a building which is at least 6 feet wide.

In the two cases above, only the parking space depth can be decreased to 18 feet.

3. Floor Area Defined. Floor area in the case of offices, and most commercial uses, shall mean the floor area used or intended to be used by tenants, or for service to the public as customers, patrons, clients, or patients, including areas occupied by fixtures and equipment used for display or sales of merchandise. It shall not include areas used principally for non-public purposes, such as storage, incidental repair, processing, packaging or merchandise.
4. Alternative to On-Site Parking. For any new use, structure, or building other than a dwelling, in any commercial or RM District required off-street parking which cannot be provided on the premises due to the size or location may be provided on other appropriately zoned property not more than 300 feet walking distance from the nearest point of the parcel. Where parking is provided on other than the site concerned, a document recorded at the County Recorder's office shall be filed with the Community Development Department and signed by the owners of the alternate site stipulating to the permanent reservation of use of the site for said parking.

Parking facilities need not be located in one consolidated area of a particular site, but may be separated by landscaping providing for reasonable access to the building.

### C. Special Access And Parking Provisions

1. Driveways and off-street stacking lanes for automobiles awaiting entrance to drive-in businesses shall be provided.
2. In cases where parking other than herein required may be appropriate, the Planning Commission may increase or reduce requirements based upon actual usage of employees and customers, but in no case shall the requirements be increased or reduced by more than 25 percent.
3. At the time of site plan review for each development, a precise parking plan shall be submitted showing all parking spaces, the overall circulation system, an analysis of the parking demand for the specific land uses proposed and other justification as necessary for requesting reductions in parking space requirements.
4. No parking shall occur in any alley, driveway, service driveway, traffic aisle (either public or ways open to the public), delivery area (other than for a minimal period of time needed for the delivery of goods and materials to a specific tenant) or other location designed for through traffic unless said area has been specifically designated on the original approved site plan or as it may be specifically modified by written approval of the City Transportation Engineer, for parking spaces, and be designed in accordance with the parking designs specific in this chapter.

**D. Shared Parking Provision**

1. Proposal. Notwithstanding any other parking requirements provided in this Chapter, when land uses occupy the same lot or adjacent lots, the total number of off-street parking spaces required for each use may be combined and shared.

A proposal for sharing of off-street parking shall be presented to the Community Development Department. If the proposal involves the accommodation of more than 10 parking spaces (total accumulated spaces required for all involved uses), the Director shall present the proposal to the Planning Commission for site plan review.

2. Requirements. In order to qualify for approval for shared parking, applicants shall present the following:
  - a. The location and identity of each use that will share the facility;
  - b. The total parking requirement for each use;
  - c. The projected hours of operation of each use and the hours during which peak parking demand will be experienced;
  - d. The number and size of proposed parking spaces;
  - e. A site plan that provides for a distance of no greater than 500 feet from the nearest entrance of each use to the nearest edge of the parking facility;
  - f. A site plan that demonstrates that the proposed shared parking facility will comply with all standards required by this Code for parking lot development.

**E. Parking Space Requirements**

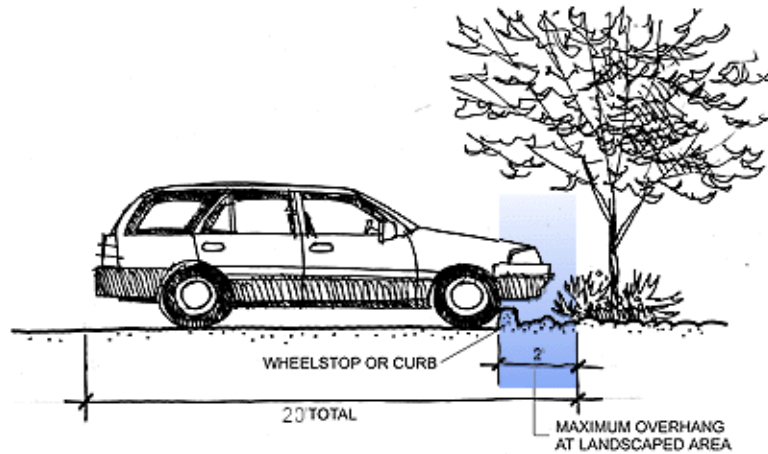
1. Specific Requirement for Each Land Use. Off-street parking shall be provided for land uses as described below. Requirements based upon floor area shall be calculated as described above. Parking for uses not specifically listed below shall be provided in the same ratio as the use most nearly approximating the characteristics of the unlisted use, as determined by the Planning Commission. Land uses are grouped into categories that have comparable parking requirements.
2. Table of Parking Requirements by Land Use Category.

	Land Use Categories	Space Requirements
<b>Residential</b>	Dwelling, Duplex	2 spaces per dwelling unit
	Dwelling, Multiple-Unit (Tri-plex, Four-Plex, and Five-Plex)	2 spaces per dwelling unit
	Dwelling, Multiple-Unit (Apartment)	
	- one-bedroom unit	1.5 spaces per unit
	- two-bedroom unit	2.0 spaces per unit
	- three or more bedroom unit	2.5 spaces per unit
	- guest parking	0.25 spaces per unit

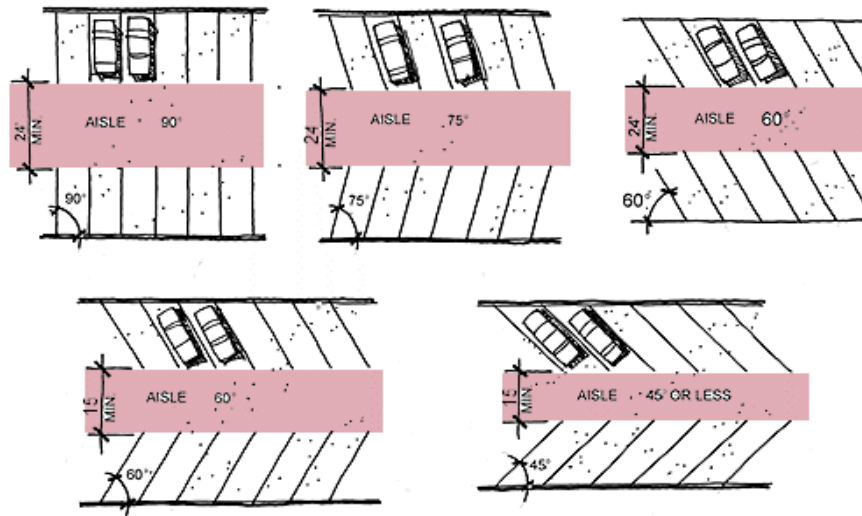
	Land Use Categories	Space Requirements
		NOTE: There shall be no less than 1.5 covered parking spaces (1.0 carports, 0.5 garages) per unit.
	Dwelling, Single Family	2 spaces per dwelling unit
	Assisted Living Center, Nursing Home, Convalescent Home and other similar uses as determined by the Planning Commission upon review.	0.5 spaces per bed
	Senior or Elderly Housing	1 space per unit (The completed parking ratio may be reduced to one space per unit for any congregate care facility, provided that adequate space is created and landscaped that can be converted to additional parking stalls to comply with the minimum standards as set forth for Planned Unit Developments. The area that is held in reserve for additional parking shall not be located within a required landscape setback area, and shall not be used in the calculations for any required landscaping or open space coverage percentage.)
	Exceptions: Lodging House	1 space per guest room
Retail Commercial	Automotive Repair	5 spaces per 1,000 square feet
	Commercial Retail Sales and Services	
	Heavy Commercial	
	Commercial Center, Community	
	Commercial Center, Convenience	
	Commercial Center, Neighborhood	
	Commercial Center, Regional	
	Liquor Sales	
	Exceptions: Reduction may be allowed by the Planning Commission for retail businesses with exceptionally large show room floor space per volume of sales; e.g., furniture store at a ratio of 3 spaces per 1,000 sq. ft.	
Commercial Services, Offices	Bar, Tavern, Club	3.5 spaces per 1,000 sq ft
	Business or Financial Services	3.5 spaces per 1,000 sq ft
	Dance Hall, Discotheque	3.5 spaces per 1,000 sq ft
	Day Care, Group	One space for each instructor (plus drop-off space)
	Veterinary Office	4 spaces for each practitioner
	Medical and Health Care	5 spaces per 1,000 square feet OR 4 spaces for each practitioner plus 1 space per employee (including practitioner) at highest shift, whichever is greater. For the purpose of the parking ratio. Employees include nursing staff, receptionist, rehabilitation specialists, and dental assistants. Site Plan shall be reviewed to verify compliance with this standard upon application of business license. License shall be denied if adequate parking is unavailable.
	Motel, Hotel	1 space per rental unit, and 1 space for each 200 sq. ft. of assembly, banquet, or sit-down restaurant facility

	Land Use Categories	Space Requirements
<b>Recreation, Indoor</b>	Bowling Alley	5 spaces per lane
	Movie Theater	1 space per 4 seats
	Skating Rink	3 spaces per 1,000 sq. ft of skating area.
<b>Restaurants</b>	Restaurant - Supper only	1 space per 2 seats
	Family Restaurant	1 space per 4 seats
	Restaurant - Drive-in (All fast food outlets with large proportion of take-out and drive-in service.)	10 spaces per 1,000 sq. ft. of service area
<b>Public Uses</b>	Hospital	2 spaces per bed
	Rehabilitation Center	.5 space per bed
	School, Private or Quasi-Public	
	School, Public	
	Elementary and Middle School	1 space per teacher and staff plus 1 space per 2 classrooms.
	Senior High School	1 space per teacher and staff plus 1 space per 5 non-bussed students.
	Religious or Cultural Activity	1 space per 4 seats
	Theater or Concert Hall	1 space per 4 seats
	Recreation, Outdoor	Planning Commission review
<b>Industry</b>	Industry, Light	1 space per 1,000 sq ft of gross floor area
	Industry, Medium	1 space per 1,000 sq ft of gross floor area
	Industrial (or Research) Park	Requirement may be substituted by provision of 1 space per employee at highest shift, with approval of Planning Commission
	Exception: Warehouse, Wholesale Storage	0.5 spaces per 1,000 sq ft of storage space
<b>Special Review</b>	Athletic, Tennis or Health Club	Off-street parking shall be determined by the Planning Commission at Site Plan Review.
	Auto, Truck, R.V. and Equipment Sales and Storage	
	Cemetery, Columbarium, Mausoleum	

3. Parking Stall Dimensions. The following diagrams illustrate recommended dimensions for parking stalls.



### Reduction for Planter Overhangs



### Aisle Widths

## F. Parking Structure Design Standards

1. Setbacks. The parking structure shall comply with the minimum requirements, including all height adjustments, of the underlying zone.
2. Maximum Height. The parking structure shall comply with all height requirements, including the stepping back of the additional stories, of the underlying zone.
3. Parking Stall Size Requirements.
  - a. **Retail/Hotel Projects**. Retail/Hotel type developments are characterized by constant traffic flow and parking space ingress/egress, and generally have a higher daily traffic count than a single/multiple user office building. Because of such, all parking stall and aisles shall conform to the parking stall design standards. There shall be no reduction in the minimum aisle width or parking stall depth for a parking structure constructed for a retail or lodging land use.

- b. **Office Building Project.** Office building type developments are characterized by non-constant traffic flow and parking space ingress/egress, and generally have two time periods of activity. The balance of the day is characterized by a very low activity level, and evening hours are normally not occupied. Because of such, the minimum parking stall depth for 90 degree parking may be reduced from twenty [20] feet to eighteen [18] feet upon review and approval of the Planning Commission. The minimum travel aisle way shall not be reduced in any circumstance. All other parking stall dimensions for angled parking, including stall width, shall not be reduced.
4. **Parking Structure Appearance Requirements.** Parking structures shall be designed as to complement adjacent non-parking structures, and to blend in with the local man-made or natural environment. If adjacent to an existing or future office building and the facility is adjacent to a right-of-way, the parking structure shall be designed as to appear as an office building with simulated window openings and doors, unless otherwise approved by the Planning Commission. Exterior elements shall use at least one of the following materials: embossed concrete, polished masonry, colored glass, and brick. Stucco shall not cover more than 25% of the hard vertical surface area. Stucco may only be used if approved by the Planning Commission after determination that the material blends with the adjacent man-made or natural environment, and is used in an architecturally pleasing manner (such as quoins, pediments, etc).
5. **Landscaping.** The parking structure shall landscape the base of the facility with additional trees and shrubs, along with other materials that will de-emphasize the use of the facility as a parking structure. It is strongly encouraged, but not required, to landscape the top level with additional trees, grass, and other pedestrian friendly elements (such as benches and/or tables)

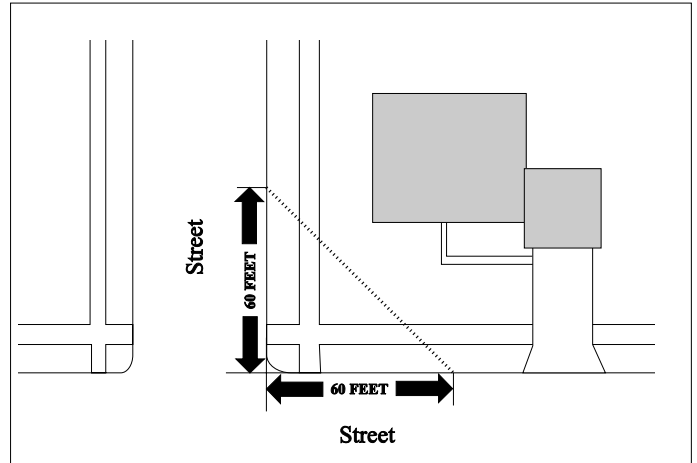
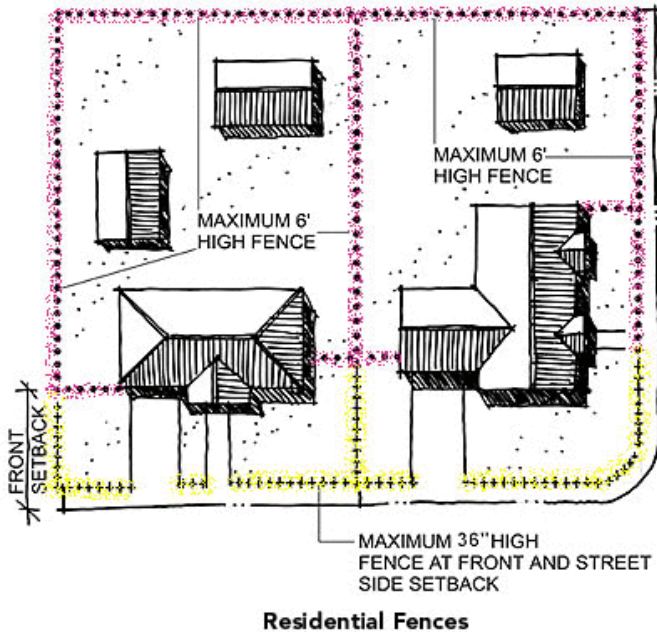
15-06-06 **Fencing Regulations**

- A. **Provisions Constitute Minimum Requirements.** In interpreting and applying the provisions of this Section, the requirements contained in this Section are declared to be the minimum requirements.
- B. **Effect of Section on Covenants, Agreements, etc.** This Section shall not nullify the more restrictive provisions of covenants, agreements or ordinances or laws, but shall prevail notwithstanding such provisions which are less restrictive.
- C. **Fences - Residential Standards.**
1. Side Yards and Rear Yards. In any required side or rear yard on lots, the height of fences shall not exceed 6 feet in height.
  2. Front Yards. Fences in required front yards shall be allowed provided that solid type fences shall not exceed 3 feet in height, and open type fences (for example, chain link fences), shall not exceed 4 feet in height.
  3. Corner Lots. In addition to the other provisions contained in this Section, fences located on corner lots shall be subject to the following provisions:
    - a. Any fence, wall and/or hedge on the front yard setback shall not exceed 3 feet in height if opaque construction, or 4 feet in height if open construction.
    - b. In the side yard setback which fronts on a street, height up to 6 feet shall be allowed beyond



60 feet from the intersection measured from the intersection of extended curb lines. Height within the 60 foot area shall conform to the requirements of a front yard setback.

- c. Heights on the rear yard setback and interior side yard setback shall not exceed 6 feet.



**Illustration of a Common 60' Sight Visibility Triangle**

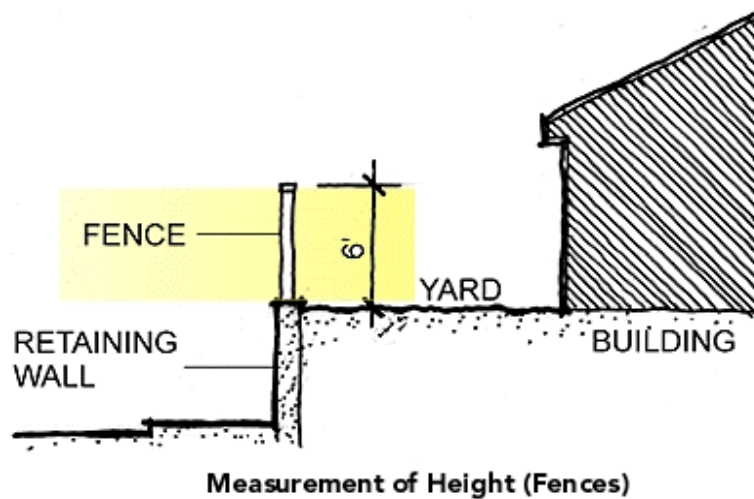
4. Lots Within Sensitive Overlay District. A fence may be built upon a slope greater than 30% provided that the following conditions are met:
- Fences shall be located only upon areas constituting usable land unless otherwise designed to comply with the Hillside Element as contained in Section VIII of the General Plan, and approved by the Sandy City Community Development Department.
  - Black vinyl coated chain link fencing only shall be allowed in order to blend into the native landscaping.
  - The fence shall be built in accordance to this chapter and comply with all restrictions imposed by setbacks, etc, as defined in this Code
  - All requirements of the Sensitive Overlay District shall be met prior to the construction of the fence.
  - Fencing on hillside lots shall only be approved in conjunction with an approved landscape plan with the Hillside Element as contained in Section VIII of the General Plan.

#### **D. Fencing - Commercial Standards.**

##### **1. Interior Lots.**

- If a fence is desired in the front building setback, decorative iron fences or a combination of decorative iron and brick pillar fences are required.

- b. The fence may be a maximum of 6 feet in height provided the fence is located immediately behind the front landscape area required by the zoning ordinance for the particular project.
  2. **Corner Lots.** All developments located on corner lots shall be considered to have two frontages. The above fencing restriction shall apply to both frontages with the exception that fences may not encroach into the required sight visibility triangle at the intersection of two streets. Sight visibility triangle shall conform to engineering standards as contained in the AASHTO publications. In many cases, a sixty [60] foot sight visibility triangle is sufficient. Sight visibility triangles will increase significantly if the location is on or near the inside of a horizontal curve. Fences in the sight visibility triangle shall be no more than 3 feet in height above the top of curb. Said sight visibility triangle shall be measured from the intersection of the extended curb lines back 60 feet in both directions, in most cases.
  3. **Side and Rear Property Lines.** Fences along side or rear property lines shall not exceed 6 feet in height (measured from the highest elevation on either side of the fence) unless otherwise approved by the Planning Commission during Site Plan Review up to a maximum of eight (8) feet (measured from the highest elevation on either side of the fence).
  4. **Barbed Wire Fences.** Barbed wire and other security wire is allowed on fences on commercial, industrial, business or civic property for the purpose of maintaining security and preventing property loss and vandalism.
  5. **Temporary Chain Link Fencing.** Chain link fencing shall be allowed in the front setback area on a temporary basis for the purpose of securing property prior to development.
- E. **Vacant Lots.** For the purpose of this Chapter, it shall be presumed that a vacant lot shall contain a minimum front, side and rear yard that are otherwise required by ordinance. In any required side and rear yard on vacant lots, the maximum height of fences or other similar structures shall be 6 feet.
- F. **Barbed or Razor Wire.** Fences containing strands of barbed wire, razor wire or other similar fencing designed to prevent intrusions are prohibited, unless specifically approved by the Planning Commission for public safety, health or welfare. Such fences include fencing for farm animals and public utility stations.
- G. **Retaining Walls.** Where a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall shall not exceed five (5) feet in height. For cuts/fills to be retained which exceed five (5) feet, retaining walls shall be stepped and separated horizontally by a minimum of five (5) feet. The uppermost retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.
- H. **Walls Along Arterial Highways.** Whenever any person, firm or corporation as subdivider, develops or builds upon any property in Sandy City which is part of a recorded subdivision approved by the Planning Commission after the effective date of this Code or in any previously approved subdivision, and which abuts any arterial street, as defined and provided herein, the said person, firm or corporation shall construct and install at his or its own expense, a fence or wall as provided hereafter along the back property line of lots abutting said arterials.



1. An arterial highway is any public road having a right-of-way, developed or undeveloped, of 84' or more, including but not limited to the following roads:

State Street	700 East
1300 East	10600 South
2000 East	9000 South
9400 South	11400 South

2. The said fence or wall shall be approved by the Planning Commission after review by the Community Development Department, only upon satisfaction of the following criteria:
  - a. Durable or useful life of at least 20 years duration.
  - b. Wind load of at least 80 miles per hour.
  - c. Maintenance free for at least five years duration.
3. In addition to the above requirements, the following shall be satisfied:
  - a. The fence shall be interrupted approximately every 20 to 30 feet by pilasters, jogs in the fence or other variation in the construction so as to provide a visual breaking point in construction.
  - b. Acceptable construction materials shall not include chain link with slats, picket or thin board fencing.
  - c. Anti-graffiti coating shall be required as approved by the Sandy City Parks and Recreation Department.
  - d. Specific structural design shall be reviewed and approved by the Sandy City Engineer.

- I. **Exceptions.** The provisions of this Section shall not apply to certain other fences such as sports court fences, tennis court backstops or patio enclosures in the front, side or rear yards, if approved by the Planning Commission. During the review of such requests, the Planning Commission need only determine if in its opinion that:

1. The proposed fence does not create a hazard for the subject property or adjacent properties;
2. That the proposed fence does not create a violation of other ordinances.

#### **J. Fencing Canals**

1. Any parcel being subdivided which is adjacent to or has within its boundaries a canal right-of-way may be required to provide along such right-of-way a non-climbable fence unless otherwise approved by the Planning Commission. The height of the fence shall be at least six (6) feet. The bottom of the fence shall match the grade at the location of the fence so that there are no gaps between the fence and the ground. The developer shall install a concrete strip, if necessary, to eliminate gaps between the bottom of the fence and the ground.

As an alternative to fencing the canal, and with the review and approval of the Sandy City Public Utilities Department, the developer may pipe the canal. If the canal is piped, the developer must obtain written permission from the canal company and construct the pipe according to canal company requirements and specifications.

2. All fences bordering canals shall be installed as part of the improvements for the subdivision. No occupancy permit, whether temporary or final, shall be granted until all required fencing is installed in the subdivision.
3. Where practical, the fence material and type should be alternated to create an “open” appearance and avoid a walled-in alley look.

#### **K. Buffering Along Arterial Streets**

1. Residential. Developments shall not be so constructed as to permit motor vehicle access directly onto an arterial street or roadway from individual residential lots. No new residential developments shall be permitted within the City which abut an arterial without requiring improvements along the entire length of the development as it abuts the arterial street, to the following standards:
  - a. A barrier wall, six (6) feet in height (measured from the highest elevation on either side of the wall); except, that where soil retention is required, walls may be up to eight (8) feet in height (retaining wall and barrier wall combined). All such walls shall meet design specifications adopted by the Planning Commission.
  - b. Curb, gutter and sidewalk to specifications approved by the City Engineer.
  - c. Asphalt and other roadway improvements to the center line of the arterial.
  - d. A minimum five (5) foot landscaped buffer between the sidewalk and street curb, such landscaping to be installed according to the Street Planting Guide for arterial and collector streets.
  - e. Sprinkling system and water connections sufficient to maintain landscaping in all buffer areas to specifications approved by the Public Works Department.
  - f. An additional landscaped buffer, including sprinkling and water connections, may be required by the Planning Commission, between the sidewalk and barrier wall, where it is

impractical for the barrier wall to abut the sidewalk. The specific width of the buffer and landscaping specifications shall be determined by the Planning Commission, upon recommendation by the Parks Director, at the time of final subdivision review.

#### 15-06-07 Condominium Conversion Standards

- A. **Purpose of Condominium Standards.** Uncontrolled condominium conversion may have deleterious effects upon the occupant prior to conversion, the seller, and the buyer who often does not fully appreciate the implications of condominium living and ownership. This may lead to conditions of mismanagement, neglect and blight that impact upon the community. State legislation has enabled cities to exercise some control over condominium projects in general and in conversion of apartments in particular.

The specific purpose of this act is:

1. To establish the requirements for approval for a conversion of existing multiple family rental housing to residential condominiums and existing commercial office buildings to commercial use condominiums;
2. To establish building safety criteria for condominium conversion projects by requiring conformance to the City's building codes and other development standards.
3. To ensure that condominium developments have adequate living space, open space, and recreation areas;
4. To establish the standards and criteria for the geographical layout of a condominium project.

- B. **Definitions.** For the purpose of this ordinance, certain words and phrases are defined and certain provisions shall be construed as herein set forth unless it shall be apparent from their context that a different meaning is intended.

1. Condominium, Condominium Project and Condominium Unit shall mean property or portions thereof conforming to the definitions set forth in Section 57-8-3, Utah Code Annotated, 1953 as amended, or successor statutes thereto. A condominium or condominium project constitutes a subdivision requiring approval under this title
2. Association is an organization either incorporated or unincorporated composed of persons who own a condominium unit(s) or right to exclusive occupancy, and who are organized to operate and maintain common areas and facilities for condominium projects.
3. Conversion is a change in the type of ownership of a parcel or parcels of real property, together with the existing attached structures, to that defined as a condominium project.
4. Condominium Documents are the By-Laws, Deed Restrictions, Covenants, Conditions and Restrictions, the description of the project elements, and any other documents establishing a plan for condominium ownership.
5. Developer is a person, firm, corporation, partnership or association which causes land or buildings to be subjected to the provisions of the Sandy City Code or the statutes of the State of Utah with regard to condominium projects.

6. Unit means a separate physical part of the property intended for any type of independent use, including one or more rooms or spaces located on one or more floors (or part or parts of floors) in a building, as the context may require.

C. **Application Requirements.** The owner or developer who desires to convert existing multiple family housing to a residential condominium project shall first submit to the Planning Division an application which shall include, but not be limited to the following, and shall include as many copies as the Planning Division determines to be sufficient for its staff and the Planning Commission to evaluate the project:

1. Four (4) records of survey map accurately drawn to scale in conformance with the provisions of Section 57-8-13, Utah Code Annotated, 1953 as amended, which shall be prepared by an engineering or land surveyor registered in the State of Utah. The scale of said record of survey map shall be no smaller than one inch equals forty (40) feet.
2. Twelve (12) copies of a site plan prepared to the same scale as the record of survey map designating the location of buildings, the intended use of common areas, and the location and extent of storage, recreational facilities, parking, driveways, pedestrian ways, curbs, walls, fences, landscaping, sprinkling systems, and information showing floor plans and elevations. The record of survey map may be included on the site plan if it can be clearly and accurately represented.
3. Two (2) copies signed in the original of the proposed condominium declarations and By-laws.
4. A property report containing the information specified in this Section shall be submitted as part of the application, together with a plan for all proposed improvements and repairs. Such plan and report shall be prepared and certified by a civil engineer or a general engineering contractor licensed by the State of Utah.
5. Fees. To defray the costs involved in publication and review of a condominium project, a filing fee shall be submitted with the application as part of Sandy City's fee schedule. An application will not be scheduled for hearings before the Planning Commission until the information required herein is submitted, excepting item (6) below, which must be submitted prior to final approval.
6. Proof of Notice to Tenants to be submitted prior to final condominium approval.

D. **Application Review**

1. Review by Community Development Director. Upon receipt of an application for approval of a condominium conversion project, the Sandy City Community Development Director shall review the application and related documents to determine whether the project conforms to applicable requirements of the Utah Condominium Ownership Act, applicable zoning ordinances of the district in which the project is located, standards applied to the condominium by provisions of this title, and any requirements or provisions set forth in the Report of Property Condition submitted by the owner-developer and the Chief Building Official. The Fire and Engineering Departments shall have submitted to them appropriate documents for their review.

If the Community Development Director finds that there are violations of applicable zoning, building or similar codes or requirements he may recommend denial of the condominium project until such violations have been corrected; or he may recommend preliminary approval subject to conditions that the violations be corrected prior to final approval.

2. Preliminary Approval by Planning Commission. Upon submission of the reports and recommendations of the Community Development Director, the matter shall be presented for consideration to the Planning Commission for preliminary approval. If the Planning Commission finds that the project as proposed is in compliance, or has presented plans which will bring the structures into compliance with applicable codes and policies, and that there will be no increased hazard or detriment to the community, the neighborhood, or prospective owners of the condominium units, the Planning Commission may recommend to the Mayor preliminary approval with any conditions which it deems appropriate. Such conditions may include correction of violations of building, zoning, health, or similar codes, appropriate amendments to declarations, or amendments to the record of survey map and the site plan which may enhance or protect the environment of the condominium development and the neighborhood in which it is located.

If the Planning Commission finds circumstances or conditions which would constitute an increased hazard to health, safety, welfare, or convenience of the general public or of prospective buyers or guests in the condominium project, they may recommend denial of the project to the Mayor.

Failure of the Planning Commission to make a recommendation to the Mayor within ninety (90) days of the initial hearing date may be considered to constitute a recommendation of preliminary approval.

As part of the preliminary approval, the Planning Commission may require final approval before its body before final approval by the Mayor.

3. Preliminary Approval by Mayor. Upon receipt of recommendation from the Planning Commission or if the Planning Commission fails to act within ninety (90) days of the initial hearing date, the Mayor shall consider preliminary approval of the condominium project.

If the Mayor finds that the project is in compliance with, or has presented approved plans which will bring the structure under compliance with applicable zoning, building, and other appropriate ordinance and policies; and that the project will not create an increased detriment to residents of the City, the neighborhood, or prospective condominium owners, he shall grant preliminary approval with any conditions deemed appropriate to ensure an attractive and safe environment.

If the Mayor finds circumstances or conditions which would constitute a hazard to the health, safety, welfare, or convenience of the general public or of prospective buyers or guests in the condominium project, he may deny preliminary approval with an appropriate finding of fact.

The effect of preliminary approval by the Mayor shall be to entitle the owner or developer to proceed with obtaining building permits, giving notification to tenants, preparing documents for final approval, and otherwise proceeding with the project in all aspects being in conformance with the conditions or preliminary approval and subject to final approval. The sale of condominium units, the recording of records of survey, and the recording of survey, and the recording of declarations, however, shall not be accomplished prior to granting a final approval in accordance with the provisions contained herein.

4. Final Approval by Mayor. Upon receipt of a written letter of assurance by the Community Development Director and the Chief Building Official that all conditions of preliminary approval have been completed and all final documentation has been received, the application shall, with appropriate notification, be considered by the Mayor for final approval.

If the Mayor shall determine that said project is in conformance with applicable ordinances and policies of Sandy City and has met all of the conditions and requirements of preliminary approval, he shall grant final approval of the project and release the record of survey map and the covenants of said condominium project for recording.

No record of survey map shall have any force or effect until the same has received final approval of the Mayor and appropriate signatures have been affixed.

5. Amended Submission: Within thirty (30) days after the Mayor has disapproved any project, the developer may file with the Planning Division appropriate documents to meet the requirements of the City. Upon said filing, the matter shall be placed for reconsideration by the Mayor of the denied proposal without additional fee.
- E. **Property Report**. As an element of any application for a condominium which includes the conversion of existing structures, the owner or developer shall submit a Report of Property Condition which is intended to ensure that the standards of the declaration appropriately address existing and future conditions relating to maintenance and operation as referenced by Section 57-8-13, Utah Code, 1953, as amended, or its successor statutes.
  1. Information Required: The property report shall contain the following information:
    - a. The age of the building or buildings.
    - b. Condition of structural elements including roof, foundation, mechanical system, electrical system, plumbing system, and boiler or furnace.
    - c. Size of water service line from the meter to the individual unit.
    - d. Size of sewer lateral and sewer line(s) from each unit.
    - e. Capacity of electrical service for each unit (amps).
    - f. Condition of paving material on private streets.
    - g. Condition of paving or surfacing material on driveways, parking areas, sidewalks, curbs, etc.
    - h. Condition of paint and/or exterior surfaces of all buildings and structures.
    - i. All known conditions constituting deficiencies.
    - j. All known conditions which may require repair or replacement within the next succeeding five (5) year period.
    - k. The report shall also contain a statement of disclosure containing all information pertinent to any failure of the building to meet the requirements of the current building code and current zoning ordinance.
  2. Report of Building Official. At the time of submission of an application for the conversion of any existing buildings, the Chief Building Official or his designee shall make an inspection of the proposed condominium project to determine compliance with the life-safety provisions of the Uniform Building Code as adopted by Sandy City and as outlined in the attached "condominium



conversion safety inspection list", which list shall be used to implement the provisions of this subsection.

Prior to Planning Commission consideration of preliminary approval of a condominium project involving a conversion of existing buildings, the Chief Building Official shall submit a report to the Community Development Director specifying any deficiencies of life-safety standards of the Uniform Building Code which are found to exist in the project. This report of the Chief Building Official shall be submitted to the Planning Commission as an element of the Report of Property Condition.

#### **F. Minimum Requirements For A Conversion**

1. Minimum Standards Required. To achieve the proposed objectives of the chapter, the Planning Commission shall require that all proposals for a condominium conversion shall be made pursuant to the provisions of this chapter. The standards and criteria contained herein are intended to provide assurances that the geographical layout of the project is accomplished in a manner which is attractive and is not detrimental to the functioning of the project or surrounding areas; and that the contents of the declaration assure proper operation, maintenance and upkeep of all utilities, facilities, recreation areas, and roads and parking areas.
2. Parking Requirements.
  - a. Residential Condominiums. All required off-street parking spaces shall be located within reasonable proximity of the dwelling unit they serve. Reasonable proximity should mean no further than 200 feet walking distance from the dwelling unit serviced by the parking space. Additional parking stalls shall be required if appropriate parking ratios are not met.
  - b. Commercial Condominiums. All required off-street parking spaces shall be located on-site, unless otherwise arranged through a shared-parking arrangement as approved by the Planning Commission.
3. Open Space and Recreational Requirement. Each project shall meet the following standards for open space and recreational areas:
  - a. Open space shall be provided and shall not be less than fifty (50) percent of the site area. The required open space shall be land areas that are not occupied by buildings, structures, parking areas, streets, or alleys. Said open space shall be devoted to landscaping, preservation of natural features, patios, and recreational areas and facilities. Adjustment may be made in the percentage of required open space upon application to the Board of Adjustment and upon a showing that the open space in the site area will provide amenities which will substantially meet the needs of future residents.
  - b. Common open space shall comprise at least fifty (50) percent of the required open space and shall be so designed for such use as recreational, park, or environmental amenity for common enjoyment and use by all residents.
4. Utility Requirements
  - a. All condominium units within a development shall be separately metered for gas and electricity.

- b. Each unit shall be provided with readily accessible individual shutoff valves or switches for water, gas and electrical services.
- c. Each condominium unit shall be equipped with its own heating system.
- d. Water service billings shall be billed to the Association.
- e. Each condominium project shall conform in all respects to the current Sandy City water policy.
- f. Sewer service shall be coordinated with respective sewer improvement districts.
- g. All utility bills shall be current at the time of conversion.

5. Other Requirements

- A. Prior to any final approval for the conversion of an apartment building or a commercial building to a condominium project, the building must conform to the life safety requirements as found in the Uniform Building Code, the Uniform Mechanical, the National Electrical Code, the Uniform Plumbing Code, the Uniform Fire Code and the Life Safety Code as currently in effect in Sandy City.
- B. Prior to final approval, the developer shall request and the Chief Building Official shall cause final inspections of all buildings and structures and work therein to be made to determine conformance with the building code.

G. **Enforcement.** The mayor or his delegate shall have the authority to enforce this chapter against violations thereof by any of the following actions:

- 1. To serve notice requiring the cessation or correction of any action in violation of this chapter upon any person who commits or assists in such violation.
- 2. To deny the conversion application.
- 3. To call upon the City Attorney to initiate an action to restrain or abate or correct the violation.
- 4. To see any other remedy available at law or in equity to correct such violation.

H. **Declaration Of Covenants, Conditions And Restrictions And Project Elements.** To achieve the purpose of this section, the Mayor or his delegate shall review and approve the Declaration of Covenants, Conditions and Restrictions and project elements relating to the management of the common area and facilities be approved prior to final approval. In addition to such covenants, conditions and restrictions that may be required pursuant to the Utah Condominium Ownership Act or other state laws or policies, such declaration shall be subject to recording and shall provide for the following, none of which when approved by the Mayor, shall be amended, modified, or changed without first obtaining written consent. The minimum criteria and conditions which are described in this section and any other conditions to be placed in the covenants, conditions and restrictions shall be distributed to the developer at the time of application for preliminary approval.

- 1. Maintenance. The developer shall retain responsibility for maintenance of the common areas and facilities until at least 75% of the units have been sold and the Mayor or the Community

Development Director has determined that the Homeowner's Association has assumed control of the maintenance functions.

2. Enforcement. Techniques to be used in security compliance with the duties and provisions of the covenants, conditions and restrictions shall be specified.
3. Utility Easements Over Private Streets and Other Areas: If the condominium project contains private streets, paths, or roadways, provision shall be made for public utility easements over the entire private street, path or roadway network. The Mayor or his delegate may also require public utility easements over other portions of the project to accommodate fire hydrants, water meters, street furniture, storm drainage, sanitary sewers, water and gas mains, electrical lines, irrigation systems, and similar public improvements and utilities. The Mayor or his delegate may also require access routes necessary to assure that fire fighting equipment can reach and operate efficiently in all areas of the project.

Each owner and the Association shall have an easement for entry upon any privately-owned unit, where necessary, in connection with construction, maintenance or repair for the benefit of the common area.

- I. **Tenant Notification of Conversion.** Written notices shall be mailed by certified mail to all tenants residing in the proposed condominium conversion project not less than ten (10) days prior to any hearing on the proposed conversion. Such notice shall provide at least the following: The date, time, place, and purpose of the hearing; and that should the condominium conversion be approved, tenants may be required to vacate the premises.

Unless otherwise provided by contract or law, all tenants of the proposed condominium conversion project shall be given one-hundred and twenty (120) days advance written notice by certified mail of termination of their tenancy and shall further be given first right to purchase their respective unit upon at least as favorable terms and conditions as said units are offered to the general public. Certification of compliance shall be provided to the Planning Director prior to the recording of the final tract map.

1. During the conversion process, the tenant in a conversion condominium shall not unreasonably withhold consent to the declarant to enter the unit in order to inspect the premises. The landlord shall not abuse the right to access or use it to show the property to prospective buyers, investors, repairmen or harass the tenant. Except in case of emergency, or unless it is impractical to do so, the landlord shall give the tenant at least two (2) days notice of his intent to inspect and may enter only at reasonable times.
2. The declarant shall not undertake remodeling . for conversion of a unit while it is occupied by a tenant, nor create any unreasonable disruption of the common areas, including but not limited to restricting access thereto, nor interfere with the quiet use and enjoyment of the premises, nor abuse the right of access, nor use it to harass the tenant.